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quet, so þ as muche as is payed may be bot-
red. And yf any shirie or minister do the cō-
trary, he shall rendre to the arty triple da-
mages, and shal make fyne to the kiug, and
the sute here of may be alwel afore iusticers
of the peace as before other iusticers. xviii.
Edwardi tercii capitalo. ix.

¶ The shirifs shall array the panels of As-
syses four dayes before the sessions at the
leaste vpon payne of. xl. li. And Baylyffes
of lybertyes shall make retourne to shirifes
syx dayes before the Sessyons, vpon the
same payne. xlii. Edwardi tercii capitu-
lo. xi.

The shirife oughte to examine loyterars
and vagarantes, and compell them to fynde
suretye of theyr good behauour by sufficī-
ent maynpris of suche as be distreynable yf
any default be founde in suche vagarantes.
And yf they can not fynde suche surety, the
to commaunde them to the next saile there
to remayne vntyl the commynge of the Iu-
sticers of Jayle delyuerye, they to do wyth
such vagarantes as they shall thynke best.
vii. Richardi. ii. Capitulo. vii.

The shyrife shall be bounden foure tymes
in the yere to make proclamacyō of the sta-
tute of Winchester in euery hundreth of his
Baylwyke.

The shirife ought to take swerdes, dag-
gers and bangers from seruauntes, labou-

ters, and seruauntes of craftes men, and vytayllers that weare them, onles it be in tyme of war or when they labour in the contrie, with theyr maisters or vpon theyr busynes. And the shirife shall kepe the same weapons, which they shall present vnto the Justicers of the peace at their sessyons with the names of them that bare them. .xii. H. v. ca. vi.

¶ Shirifes ought to receyue labourers, seruauntes, beggars, and vagabounides and them detreyne in prisonne wythout bayle or maynprys, and without fee or takynge any thyng at their entre or goynge out of prison vpon payne to forfayte. C. li. to the kyng. .xi. Richardi. ii. capitulo. ix.

¶ Shiriks and other ministers of the kynge so soone as they shall haue knowelegde of assembles and ryottes with outragious nõbre of people, ought wyth the power of the shyre to goe and make resistence agaynste suche malyce wyth all theyr strength, and shall attach suche mysdoers and kepe thẽ in prysone vntyll the due punyshmente of the lawe be executed vpon them. And all maner of lordes, and other the Kynges true liege men ought to be assystent wyth all theyr power and strength to ayde the Shyryfes and other ministers therin. .xvii. Richardi secundi capitulo octauo.

¶ Shyriks ought to be personally dwellynge

lynge in their baylwykes for the tyme, and they shall not let them to farme. iiii. Hen. iiii. cap v.

Shiriffes ought to see and prouyde that neyther theyr vnder Shiriffes, Baylyfes. Clerkes, nor receyuours shal be Attourneys in the Kynges courtes for the tyme of theyr office primo Henrici quinti, capitulo quarto.

Shyriffes ought to let to mayneris persons indited of hercsye, and lollardes which are in theyr kepinge within. x. dayes vnder good suertye, so that they appeare before the ende of xx. dayes. ii. Hen. v. capitulo. vii.

Shiriffes shall cause the statute of puruciors to bee proclaymed. iiii. tymes in the yere, vpon payn of. C. li. for euery tyme that befaileth so to do. And vpon lyke payne shall delyuer the same to hys successoure to be proclamed primo Henrici sexti. capitulo secundo.

Shiriffes must make due electiō of knightes of the parliament. ix. Henrici. vi. capitulo. iii.

Shyriffes must returne suche persons knightes of the parliament which be chosen by the greater nōber of the freholders dwellynge in the countye which may expende. xl. s. yerely aboue al charges. And that those knyghtes bee dwellynge wythin the same

countye. And that he examine euery freehol-
der at such elections vpon a boke, how much
he maye expende. And yf any shyriffe returne
other knyghtes he shall forfayte. C. li. to the
kynge, and shall haue one yeares imprisone-
ment without bayle or mayneprise.

Shyriffes vpon a precepte made vnto
theym by Justicers of the peace to enquire
of forcible entre, shall retourne vpon euery of
the iurrours. xx. s. in fines at the firste daye
And Justicers of the peace shall heare and
determine suche defaultes of Syriffes by
bill at the sute of the partye or by inditemẽt
And they shal lese. xx. li. for euery default
And he that wyll sue shall haue the one half
viii. Henrici. vi. cap. ix.

To auoyde robberies and spoyles, vpon
the ryuer of Seuerne, and by the costes of fo-
restes of Dean, and the hundredes of Bo-
dleoin, and Westbury in the countie of Glo-
cester the shyriffes of Glocester, or the bay-
liffes of the towne of Glocester after noti-
fication made to anye of them of suche inu-
ries, and domages, by the parties grued,
wythin foure dayes after suche notification
made, shal make proclamacion at the pynne
of Glouecester, that suche offenders wythin
xv. dayes after such proclamacyon, shall
restore vnto the parties endomaged theyr
goodes so taken or the value with a reas-
nable amendes. The sayd shyriffes bayliffes

to forfayte.xx.li.yf they fayle so to do.ij. H. sexti capitulo.xxviii.

The shyriffe of Harforde neyther in hys turne nor in anye other place after the turne ended shall take anye enquirye or inquest of office, whiche ought not to be taken there. Neyther shall he take anye fyne or mercia= ment for thinges not appertaynyng to hys office or turne, vpon payne to forfayt.x.li.x. Henrici sexti. capitulo.viii.

Shyriffes ought to retourne in attaynter in plee of laude, men of the yearelye value of xl.s. or in an accion for dedes cõcernyng lan= des of suche value, and in accions of the fume of.xl.li. And moreouer, those persons dwellynge within their bayliewike, whych maye expende.xx.li. yearely aboue all char= ges for terme of lyfe at the leaste, out of aun= cient demeane Fauel kind. and the.v. portes. And at the firste distres fourtye shelynges, and at the seconde an hundred shelinges, and the double value of euerye other distres a= gaynste the turrours, vpon payne of tenne pounde to the kyng and as muche to the par= tye. And yf there be not sufficient persones dwellynge within the countye whiche maye expende twentye pounde yearelye: then shall they impanell other persones of the moost sufficient possession of yearelye value of lan= des and tenementes within the value of twenty pounde vpon payne to forfayte tenne

pounde to the kynge, and to the partye as muche in the fourme aforesayd de tino quinto Henrici septi capitulo quinto.

The shyryffe or vndershyryffe of Herforde must arrest suche persones of Wales, or the marches therof, whych be outlawed of treason, or felonye, whome the sayde shyriffe knoweth or seeth to be in anye place wythin the sayde countie, and to bryngc them to the Jayle. And yf any such persone, beynge endited do dysobey or flye awaye, the sayd shyryffe shall leuye hue and crye and pursue him vpon payne to make fyne and raunsome to the kynge. xiii. Henrici. vi. capi. v.

The shyryffe shall not occupye hys office aboue one yeare, and yf he so do then to forfayte. xx. li. and euery pardone for such offences shall be voyde, any wordes put in suche letters patentes notwythstandynge. Also he that presumeth to occupye the same office aboue one yeare by force of suche letters patentes shalbe disable to be shyryfe in anye other shyre afterwarde. xiii. Henrici. vi. capitulo. viii.

No shirife shall lette to ferme hys countie, nor any of hys baylwykes hundredes, or wapentakes. No shyryfe, baylyfe of fraunchyse, ne other officer shall returne in any panel any of hys baillifes, officers, or theyr seruauntes.

No shyryffe nor any other to any vse shall take

take ought of any persone to be arrested, or attached, nor to surcease of any arrest or attachement to be made by the body. Nor shal take ought of anye persone arrested, or attached for fyne, fee, fute of prison, mainprise, letteryge to bayle, or for shewynge anye fauoure or ease to anye persone beynge so arrested, except it be as here foloweth, that is to wete, to the shyrffe. xx. d. to the bailyffe that made the arrest, iiii. d. & to the iayloure yf the prisoner be cõmytted to warde. iiii. d.

The shyrffe hym self, nor any to hys vse shall not take anye thynge for the makynge of anye returne or panell, but for the copy of the panell. iiii. d. Howbeit they vse to take ii. s. for the returne of a panell, but that semeth to be extorcion.

Shyrffes ought to let out of prison al persons beynge in theyr warde by force of anye wrytte, byll or warrante, in any accion personall or inditemente of trespasse vpon a reasonable suerty beynge sufficient in the countie to kepe theyr dayes in the places as the sayde bylles wryttes or warrantes requyre, except suche as be condempned, outelawed excommunicate, or for suretye of the peace, or by the commaundement of anye Justicer, and vagabounides whych refuse to serue.

Also shyrffes ought not to take any obligacions for any thynge aboue mencioned, or by colour of theyr office but onely to them

selues,

felues, nor of any persone beynge in theyr warde, but by the name of theyr office, as by the name of shyryffe, in the obligacion, vpon condicion that the parties shall appere at the dayes conteyned in the wryttes, in such places as the bylles, wryttes, or warrantes requyre. And yf any obligacio be taken of any person by colour of theyr office in any other fourme, it shalbe voyde.

Shyryffes shall not take for any obligacion warrant or precept by them to be made any more then. iiii. d.

Shyryffes must make theyr deputies yerly in the kynges courtes, that is to wete in the chauncery, the benche and the escheque of recorde before they returne any wrytte.

Shyryffes that do contrary to thys ordynaunce in any point shall lese to the partye greued tryple damages, and shall forfayte xl. li. for euery tyme that they shall so offende the one halfe to the kynge the other to hym that wyll sue. xxiii. Henrici. vii. Cap. x

Shyryffes when wryttes be dyrected vnto them to leuie the expenses of knyghtes of the parliament, muste make proclamacion at the next countie after the delyuerance of the same wryttes, that the Coroners, Constables, and Baylyffes of hundredes shall be there to assesse theyr wages, vpon payne of xl. s. What tyme they shall assesse euery hundred at a certaine some by it selfe, and after they shall assesse euery village within the same

same hundred at a certayne sume by it selfe. And yf they be otherwyse assessed, for euery defaute they shall forfayt. xx. li. The one halfe whereof shalbe to the partie that wyll sue. And the shyrife shall leuye the same duelye, and shall paye it to the knyghtes of the parliament vpon payne of. xx. li. And the partie that wyll sue shall haue hys accion by Scire facias, and shall haue ten poundes aboue the twenty pounde wyth triple damages. xxiii. Henrici sexti Capitulo vicesimo secundo.

The Shyrife after the delyuerie of any wrytte to make election for the knyghtes of the parliament, must make a sufficient precepte vnder hys seale to euerye Mayre and baylyfe of Cyties and Boroughes, wythin the countie, them commaundynge to electe Cytezins, and Burgesses to come vnto the parliament. And the sayd mayre and baylyfes shall truely retourne the same precept to the shyrife by indēture betweene them for the election and names of them that are so chosen. And the shyreefe is bounden to make a good and true returne of euery such wrytt, and of euery retourne made to hym by the mayre and baylyfes. And for euery tyme that the shyreefe shall do contrarye to thys or any other statute made for the election of shyrefes to come vnto the parliament he shall escurre the payne of one .C. li. to the

kyng.

kynge, and a peare imprisonment without bayle. And moore ouer shall paye vnto the persone so beynge chosen knyghte, cytezyns, or burges and not ducly retourne: Or to any other persone whiche in defaulte of suche knyghte burgesse, or cytezyn wyll sue therefore, one hundred pounde to be recouered by accion of dette.

And the shyriffe ought to make such elections in the full countie bytwene the houres of. viii. and. ix. before noone, & to make a good and true retourne of suche elections, vppon payne to forfayte an hundred pounde to the kynge, and asmuche to the partye that wyll sue therfore agaynst the shyriffes, their executours or administratours. xxiii. Henrici. vii. Capitu. xv.

Shyriffes in their tournes ought to inquire, heare, and determine, yf any minister, of the warden of the courte in the marches of Scotlande: or yf any other arrest any persone by his bodye or attache him by his goodes out of the counties of Northumberland, and Cumberlande, and Westmerlande, and the towne of Newcastell to answere in anye of the sayde courtes: or els by colour or cause of any processe in the sayd courtes: for in such arrestes it shalbe lawfull for euerye man to make resistence. And the partie greued shall haue an accion of false imprisonemēt or trespasse, and shall recouer trible damages therfore

fore, and the defendaunt shall haue two yeares imprisonment. And the shyrife shal haue power to procede thereupon, as well as vpon a presentment made in his tourne. xxxi. Edwardi sexti. Capi. secundo.

Whereas some men by dissimulacion & other meanes fayne them selues to be louers to women vnmaried as maydens, or Widdowes hauynge great possession & substaunce of goodes, and gette suche women into theyr possession, and conuey theym into suche places, frome wheuce they wyll not suffer them to go at their libertye, except they wyll make to them obligacions of greate summes to be payed vnto theym, or cause them to be bounden in a statute Marchaunt, or sonitymes wil compel them to be maryed at theyr pleasure, which yf they refuse to leuye vpon them the summes conteyned in the same obligacions and statutes: it is ordeyned that the partye greued shal haue a writte oute of the chaunsterye comprisinge the whole matter of theyr vnreasonable intreatynge directed to the shyriffe commaundynge hym to make proclamacion at the nexte countye after the receyt of the writte that the offendour shal appeare at a certayne daye and place prefixed in the writte before the chaunceller or the iustices of assise of the shyre where such offences shal hap to be done, or before some other persone assigned by the chaunceller. And the shyriffe

to

to whome suche a writ shalbe directed, and shall execute the same accordynge to the tenour therof, vpon payne of .C.C.C.li. the one halfe to the kynge, the other to him that wyll sue therfore by wryte of detet, wherein no wager of law, protection, nor essoyne (to cause the matter to be tryed in another countreye then where the wryte is brought) shalbe allowed. xxxi. Henrici quarti, capitulo quarto.

Vpon euerye inditement or presentement taken before shyreffes or their ministers in their tournes, or lawdayes, they shall delyuer the same inditmentes and presentementes to the Justicers of the peace at their nexte sessions vpon payne of .xl.li. And the Justicers of the peace shall awarde processe vpon the same aswell as yf they had bentaken before them selues, & shal arayne those that be so indited of felonye, and shall sette fynes vppon suche as be indited of trespase, the extreates of whiche fynes shalbe inrolled by Indenture and delyuered vnto the same shyreffes or ministers.

And yf anye shyreffes or theyr ministers, arrest or attache any person by colour of any such inditement or presentement in their turnes or lawdayes, or els take anye fyne or amerciament therfore they haue processe fro the Justicers of the peace, or afore the extreates out of the Inditementes shalbe delyue-

red

ted, they shall forfayt a hundred pounde the moyte whereof shall be to the partie suynge therfore by wrytte of dette in which no wager of lawe, nor protection shall be allowed. Anno primo Edwardi. iiii, capi. bliiino.

Upon an informacion made to Justicers of peace, or to other Justicers agaynst anye persone for retaynynge or geuinge of lyueries, or agaynst anye that is retayned or taketh lyuerie, the Justicers shall make processe therupon, as vpon a recouerye of dette or trespas. And yf the shyrife in any suyte graunted therupon agaynst any person beynge sufficient, returne any lesse issues then xx.s. at the first daye of the distresse, and at the seconde daye. xxx.s. and at the thyrde daye. xl.s. and so at euerye daye after, more by. x.s. in issues for euerye suche returne he shal forfayte. xx.s. viii, Edwardi. iiii. ca. ii.

The olde shyrife shall haue power to returne wrytes, and to execute hys office duringe the terme of saynct Michel, & Hilarie, after the yeare of hys sayd office expired, onles he be lawfully discharged therof before. xv. Edwardi, iiii. capi. ix.

No shyrife, nor other officer shall seaze or take the goodes of anye persone beynge arrested or imprisoned for felonye vntyll the same persone be duely conuicte or attayuted of the same felonye by course of the common lawe, or except the same goodes be other-

wyfe lawfully forfayte, vpon payne to for-
fayte the double value of the goodes so tak
to the partye greued suynge therfore by ac-
cion of det, wherin no wagee of law essoyne
nor protection shalbe allowed. i. Richard
iii. Capi. iii.

No baylyffe nor other officer in any pane
within any countye of this realme shall re-
turne any personne to be put in or vpon any
Inquirie in the turnes of shyriffes, but such
as be of good name & fame hauing freholde
to the yearly value of. xx. s. or copyholde to
the yearly value of. xxvi. s. viii. d. at the lest
aboue al charges vpō payne to lese for euery
personne not beynge sufficiente, at euerye
tyme that they shall so offende. xl. s. and the
shyriffe other. xl. s. wherof ỹ one moyte shal
be to the partye suyng therfore by accion of
det, in whiche sute no protection, nor essoine
shalbe allowed. But wager of lawe is not
expressed. And for that cause it behoued to
make informacion therof in the eschequire.
primo Richardi. iii. Cap. iiii.

Shyriffes or other hauinge the custodye
of Jayles shall certifie the names of euerye
prisoner beynge in theyr custody, & to them
committed for felonye, vnto the Justicers
at the nexte generall Jayle delyuerye to be
kalendred, vpon payne to forfayt for euerye
tyme that they make defaulte in so doynge
a hundred shelynges. iii. Hen. vii. cap. iii.

Also

Also the shyrife nor no other personne in hys name or by his cõmaundement shall entre no playntes into their bokes in no mãs name oneles the playntife be there in hys proper person or elsby sufficient attorney or deputie that is knowen of good name & the playntife shall fynde pledges, persones that be knowen in that countye to pursue hys playnte, and the playntyfe shall haue but one playnte for one trespace or one contracte. And if the shyrife or any other his officers cause to be entred anye mo playntes then the playntyfe supposeth that he hathe cause of accion agaynst the defendaunt, thã the shyrife or his clearke that doth cause to be entred anye suche playntes contrarye to thys acte shall forfayte for euerye defaulte xl.s, the one halfe to hym that wyll sue and proue the same matter by accion of dette or informacion.

Also the shyrife shall make sufficient preceptes after suche playntes entred agaynste the defendaunte directed to the bayliffe of the hundred to attache or warne the defendaunte to appeare and answere to the sayde playntes, and yf there be any defaute in the sayd Bayliffe of the hundred in warnynge or executynge of their offyces, then to forfayte. xl. shelynges and to be conuicte therof by examinacion of ỳ Justicers of ỳ peace or any of them.

The same shiriffes nor their deputies shall make none estreates to leuy the shyriffes amerciamentes tyll the.xi. Justicers of the peace, whereof one to be of the Quorum haue the sighte of their bokes & the estreates to be endented betwyxte the Justicers of peace and the shyrife and vndershyryfe, sealed with their seales, the one parte to remayne with the sayde Justicers, and the other part with the shyrife.

And those persons that shalbe gatherers of the sayde amerciamentes shalbe swome by ỳ sayde Justicers that they take no more money then is forfayte and conteined in the estreates sealed with the seales of the iustiicers to the same, vpō the same payne of forfaytour as is aboue reherced: the same gatherers to be conuict by examinacion of the same Justicers, or one of theym. And the same Justicers of peace shalbe appoynted at ỳ sessions holden at Michelmas by him that is custos rotulorum or in his absence by the eldest of the Quorum to haue the controllement of the sayde shyriffes, vndershyriffes shyre clarkes and other of the sayd officers, and of the sayde shyriffes amerciamentes. And the sayde Justicers of peace vpon suggestion shal make processe against the shyriffe, vndershyriffe, shyre clarkes, or other officers to appeare before them to answere to sych suggestion or informacion as

ysbled in accion of trespas. Anno secundo Henrici.vi. capi.iii.

Also euery shyriffe shall cause to be taken all vagabounds, ydle people, and suspecte persones and sette theym in the stockes, there to remayne at the firste takynge by one day and one nyghte, & at the seconde tyme to be in the stockes by three dayes and thre nightes with bread and water.

And yf any shyriffe execute not these premisses of euery vagabounde, hermytte, or begger, able to labour or clerkes, pilgrimes, or shypmen, as often as any suche commeth in syghte, or that he hathe thereof anye knowledge within the towne or place where he hathe authoritie that as ofte as anye suche mysdoer abydeth there aboue the space of one daye and one nyghte and departeth vnexamined and vnpunysshed: for euery mysdoer so departed the shyriffe to lose.iii.s.& foure pens, and the shyriffe in hys tourne hath authorite to enquire of al ye defautes of Mayres, Baylyffes, high Constables, petye constables, and all other gouernours, and officers, of cityes, townes and villages within their tourne and to haue.iii.shelynges and.iiii.pens for euery defaute found in his tourne. Anno.xv. Hen.vii. cap.xii.

Also euery shyrife vpon a precept directed vnto him by the Justicers of peace to re-

fourme a panel to enquire of any ryot or vn lawfull assemble commytted shal retourne xxiiii. persons dwellynge in the shyre, euery of them hauynge. xx. s. of freholde or. xxvi. s. viii. d. of copy hold or of both ouer al charges, and to retourne in yssues euery person xx. s. at the fyrst daye, & at the seconde daye xl. s. and yf the defaute be in the shyreke for retournynge of persons not beynge of that sufficiency or for no returnyng of issues in forme before sayde he to forfayte. xx. li. Au. xvi. H. viii. capi. xv.

¶ Also yf any ryote or assemble of people be made in any partie of thys realme agaynst the lawe, the Justicers of the peace, or two of them at the leaste, and the shyreffe or vnder shyreffe maye come wyth the power of the countie (yf nede be) to arrest and bringe them, & bringe them before the same Justicers of the peace. And the Shyrifes or vnder shirifes haue power to recorde that, that they shall fynde in theyr presence done contrary to the lawe, and the offēdour shall be conuicte by such recorde. And yf they be departed before the commynge of the sayde Justicers, shirife, or vndershirfe, then shall the same Justicers or two of them wythin i. moneth after suche ryot, enquyre diligently wher the assemble was made. And if the truth can not be founde, then the same Justicers, or two of them and the shirife or vn-

ner Shirife above sayde, wythin a moneth
nexte folowynge, shall certyfye before the
kynge and hys counsel the hole dede with al
the circumstances therof whiche certifycat
shall be as strouge to put the partyes to an-
swere therupon as an indytemente founde
by twelue mē. An. xiii. H. iiii. capi. vltimo

And yf the sayd riot or vnlawfull assem-
ble be not foundē (by reason of any embra-
cery or mayntenaunce of the sayde Jury)
then the sayde Justycers of peace & the shy-
refes ouer and above suche certyfycat that
they must make accordynge to the sayd sta-
tute made. An. xiii. Henrici quarti, shal in
the same certificat certify the names of the
sayde mayntenours and embrasyours in
that behalfe (yf anye be) with theyr mysde
maneours that they knowe, vpon payne of
euery of the sayde Justycers, and shyrifes
or vndershirifes. xx. li. yf they haue no rea-
sonable excuse for not certyfyinge of the
same whyche certyfycat so made shal be an
indytemente in the lawe, and euery person
duely proued to be mayntenour or embra-
sour shal forfayte. xx. li. and to be cōmytted
to warde there to remayne by discresyon of
the Justicers. An. xix. Hen. vii. capitu. xiii.

Also that no shyrife vpon wryttes and
precepes dyrected to hym do retourne be-
fore Eschetours or Commyssioners anye
person to enquyre of anye landes or tene-

mentes, except euery of the same iury hau
landes and tenementes of the yerely valu
of .xl.s. aboue all charges in the same shyre
vpon payne of forfaitour for euery person so
returned a hundred shelynges. Anno ter-
tio Henrici octaui capitulo secundo.

¶ Also al panels put in by the shirife befor
any Justicer of gaole delyuere or before Ju
sticers of peace (whereof one to be of the Quo
rum) in theyr open sessiõs to enquyre for th
lyng shalbe refourmed by puttyng to, & ta
lyng out of ỹ name so impanelled by discre
tiõ of ỹ same iusticers. And ỹ the same Justi
cers or Justicer shall commaund euery shy
rife and theyr mynisters in theyr absence
to put other persons in the same panell by
theyr discrecion and the same panell so re
fourmed by the Justicers to be good. And if
any shyrife do not returne the same panell
refourmed, then euery shyrife so offending
for euery suche offences shall forfayte .xl.li.
halfe to hym that wyll sue by accyon of det
byll or complaynt where such shall fal a be
and no wager of lawe, essoyn, nor protection
shall be alowed.

Also vpon euery exigent (where wyttes
of proclamaciõ are to be awarded) the same
wrytte of proclamation to haue the same
day of retourne that the exigent hath, and
to be delyuered of recorde, and the shyrife to
make proclamacion three seuerall dayes in

bysplayn Countie, wherof one of the proclamations to be made at the generall sessions in those partyes where the partye is supposed to be dwellyng, ꝑ he yelde him self to the Shirefe of the forsayd Shyre ꝑ the Shyrefe maye haue the body at the day of the exigēt retournable to answere to ꝑ plaintes, & ꝑ the Shyrefe of the sayd countie that hath suche writtes of proclamacion duely execute the same, and therof make due retourne at the daye appoynted in the same writte, vpon payn to forfayte such amarciamēt as by the Justicers shalbe assessed.

Shyrefes, Baylyffes, Constables and al other heed officers and euerye of them fyndynge or knowyng any persone vsynge or exercysinge any vnlawfull games contrary to the statute, haue full power to cōmit euery such offendour to ward there to remaine without bayle or mayndris to such tyme as they so offendynge be bound by obligacion to the kinges vse in such summes of monye as by discrecion of the said Shirifes, or other officers shalbe thought reasonable, ꝑ they from henceforthe shall not vse any vnlawful game. an. xiij. to. H. octa. capi. secundo.

If anye impotent parson begge wyth in any other place then within suche lymyttes as he shall be assygned, the Shirife and all other of the Kynges officers shall by theyr discrecion punyshe suche persons by imprisonment

fonment in the stockes, by the space of. iii. dayes and two nyghtes, geuyng thē breade and water only, and after that cause them to be sworne to returne agayne to the place where they be lycensed to begge. Anno. xxii Henrici octaui capitulo duodecimo.

The iusticer of peace vpon informacion or presentement made agaynst any Townshyp for non executynge of thys acte, shall make proces by dystres agaynst the inhabitantes of the towne, and therby the shirife shall distreyne the goodes of one or two of the inhabitantes of the towne as he maye knowe for negligent in the towne & retayne the distres tyll he fynde suerty to appere at the sessions before the iusticers.

And vpon the returne of the shireffe of the distres yf the person apperenot, thē euery suche person to lose, xl. d. at the fyrste dystres, and at the seconde distres. vi. s. viii. d vpon his defaulte and soo to be doubled at euery distres tyll apperaunce be had.

Shirifes that haue custodye of Gaoles shal make seales to be grauē with the name of the castell that he kepeth for to gyue, and seale wrytes to prisoners acquyted to beg for theyr fees within the hundreth wher he is delyuered by. vi. wekes next after his delyuerie, & then to go to the hundreth where he last dwelled by. iii. yere, or wher he was borne. The shirife shall not suffer any suche

pry-

pryſoner to begge for hys fees, nor to departe but to doſeruyce and laboure, til that he delyuer hym ſuche letter and the clerke of the peace to make the brefe wythin one day after the ſeſſyons vpō payne of twelue pens to the Kynge. Anno. xxii. Henrici. viii capitulo. xii.

For diſtroyinge of Crowes, rokes and Choughes, it is ordeyned that euery perſon hauing any maners, landes, and tenemētes in theyr manurance, ſhall do as much as in him is reaſonable to kill and diſtroy ꝑ ſame Crowes and Choughes, and Rokes bredynge, or abydynge vpon hys landes or tenementes, vpon payne of a greuous amerciament to be ſet. And yf the offence be wythin the lymittes of Leets, rapes or court barōs then to be ſet by the Stewardwith two of the preſentours by ꝑ Steward and preſentours to be named vpon the preſentement founde and preſented, and to be reaſonably aſſeſſed after the quātite of the offence. And the amerciamēt to be to the lord of the lawday, and yf any perſon be lorde of ſuche manours, or inhabyte there (whereunto anye ſuche lawday, or rape is belongynge) then vpon a preſentement had before the ſhirife in hys tourne wyth two of the preſentours to be choſen by the preſentours ſhall ceaſe the ſayde amercyament by theyr diſcrecyon to thee vſe of the Kynge and be leuyed by

pyſtreſſe

byffreffe. An. xxiiii. Henri. viii. capitulo. x.

And the shyrifes in theyr turnes shall gyue in charge to the tenauntes and inhabitauntes apperinge before them that they shall duely enquyre, and put in execucion the effecte of thys acte.

Shirifes shall holde theyr courtes fromme moneth to moneth. And wher greater tyme is wont to be, greater shall be. Magna Carta: ca. xxviii.

The Kynge commaundeth that shirifes and theyr offycers whyche receyue his dettes shall acquyte lawfully the dettours at the next accomptes after that they haue receyued the det, and then it shall be alowed at the Eschecker, so that it shall not come in the somõs after. And yf the shyrife do otherwyse, and be attainted therof, he shall rendre thre tymes so much as he hath receiued, and shall make fyne at the kinges wyl. And yf another do it, for whose hande he is answerable at the eschequyre, he shall rendre the treble therof to the playntyfe and shall make fyne in the same. And the Shirife shall make tailes to all thẽ that haue payde him the kynges dettes. Westminster primer Capitulo nono.

Concernynge shirifes and other whyche haue leuyed the Kynges dette, and make tayles or other acquytaunce to the dettour & discharge hym not it is agreed that when the

the shirriffe is impledid therfore in the Eschequer by the dettour, yf he come not at the distres, then shall another distres be awarded returnable at a certayne day wherin it shal be commaunded that proclamacion be made in the full countie, that the defendaunt shal come in by a certayne day to aquyte the dettour of the sume, for which he made him the acquitaunce or tayle, at whiche yf he come not in, and the wryt be returned and the proclamacion certyfyed, he shalbe holde conuicte and the dette shalbe leuyed of hym, in lyke maner as dette recouered agaynst hym in the kynges courte, & damages shalbe awarded to the playntiffe accordynge to the discrecyon of the Barons. xiiii. Edwar. ii. in the estatute of Attaynutes in the last Cha.

The kynge commaundeth that all shyrriffes, and Baylyffes whiche haue receyued bys dettes, of the somons of the eschekers. whyche acquyte not the dettours vpon the next accompt, shalbe punyshed accordynge to the estatutes made. Dy stresses of the eschequyer. Capitulo quinto.

It is ordeyned that execucion of wryttes whyche come to the shyreffe be made by the hundreders knowen and swore, and in the full countie and not by others yf it be not for great scarcitte of hundreders. For the it shalbe done by other persones conuenient & swore. The estatute of Licolne ye last cha.

Shyrrefes

Shyriffes shall not be charged with the leuyinge of any issues, nor shall leuye anye, before they come out of the Escheker by the extreates there to be leuyed. And yf percase any shyriffe retourne issues vpon any recognitor, pledge or manucaptor, by hym assessed and returned into our court, whyche to the payment of the same issues or amerciamentes at the tyme of the retourne was insufficient, the same shyriffe shalbe charged therwyth at the Escheker, and shall make tayles to all persons of al mauer of thynges by hym receyued, and shall not retourne anye where the names of manucaptores, Jurrours or other, excepte it be accordynge to the tenoure of the wrytes to them directed nor shall retourne the names of pledges of fremen anye where onles they haue manyfestly cõfessed them selues pledges. The statute of Fines. Capi. ii.

No shyrike, Coroner, or other the kinges ministers shal take no rewarde for doynge his office, and yf he do, he shal pay the double, and shalbe punished at the kynges wyll, but shall be payde of whyche ỹ they take of the kynge. Westmi. i. Capi. xxvi.

Shyrifes shall not suffre any barretour or mayntey nour of matters with his cõtye neyther stewardes of greate lordes or other (which be not attournes to their lordes to do their sutes) nor to syt vpon the iudgemẽ-

fes

tes of the county, nor to pronunce them ex-
cept he be therto required of all the suters
and attourneyes þ shalbe there at the same
tourney. And yf he doe the contrarye, the
kynge shall take it greuously to the shyrife
and the offendour. Westminster primo capi
tulo. xxxi.

It shalbe lawful for euery shyrife Justi
cer of peace & Eschetour to lease to the kin-
ges vse all suche goodes and cattelles that
suche persons as come within thys realme
(that be called Egiptians haue) and therof
to make accompt to the kyng in his Eche-
ker, and to retayne and kepe the moyte ther
of to hys owne vse, & accompte for the resy-
due, and to paye no fees for the accompt nor
for his discharge therof.

In these statutes it appeareth what thinge
the shyrife ought to do by reason of hys of-
fyce, & that he ought not to take any thyng
for doynge hys office, but only that whyche
is appoynted to hym by the same estatute,
And yf he do or take anye thyng otherwyse
it is extorcion, whiche ought to be enquired
vpon by Justicers of the peace, and the shy-
ryfe shalbe punished therfore.

And yf any shyrife doe any extorciõ to the
people, and be duelye attayuted thereof, he
shalbe straytly be punyshed therefore at the
pleasure of the kyng. Anno. i. Henrici. viii.
Captulo. xi.

Shyrifes

Shyrifes may, and are bounde to enquire of comon annusaunces done to all maner of the kynges subiectes, but not of assaultes made vpon anye priuate persone for that is but a particuler offence, by Martin. tiii. Articuli septi.

The shyrife must kepe his turne within a moneth after Easter, and within a moneth after the feast of S. Michael. And if he kepe it at anye tyme after the moneth of the saydfeastes it is voyde by the statute of anno xxxi. Ed. tii. ca. xii. And all inditementes, & presentementes there taken after the same tyme be voyde.

Bloudshed shalbe enquired of, in the shyrifes tourne, because it is an article that is to be inquired of in a Lete. All Letes be deriued and taken out of the shyrifes tournes in so muche that for defaulte of enquirye in Letes of thinges enquirable there, the same thynges there omytted ought to be enquired of in the turnes of shyrifes. viii. Ed. iii.

And all the Iusticers sayde that the shyrife in his tourne hath authorite to enquire of all thynges that be trespas, or felonye by the comon lawe (excepte the death of a man) but of trespas or felonye made by Estatute, the shyrife in hys tourne hathe no power to enquire of. M. xviii. Edwardi, iii.

And yf the shyrife in his tourne enquire of Nusances, that shoulde be enquired of in the

the lete of another, and the same be found yet maye he not distreyne for the amerciament of such a presentment. For yf he do he is trespassour. But yf there were a defaulte in the lorde of the lete in that he wolde not inquyre, or fynde the same, when he oughte to haue enquyred therof: in thys case it semeth that the shyrefe in his turne maye enquire of it (default of y lord. nil. pryuil. E. iii.

And yf one haue a fayre or market by graunte or prescription, and kepe not hys fayre or market as he oughte, the shyrefe ought to ꝑquyre therof in his tourne pryu. P. vi

Upon a presentment of Nusance in the shyrefes turne, the partye shall be amerced there by the shyrefe, whych may dystrayne for the amerciament. And yf portpresture be presented there the shyrefe maye abate the same, & retournet. P. pryu. Ed. iii.

Also it appeareth by the boke of Westm that vnto the turne of the shyrfe ought to come all the freholders of the hundrede, and other laude tenauntes (clerkes, men of religion and women onely exceptt) where at the shyrfe shall cause. iii. of the moost sage and sufficiente persons of the hundred to be swoorne. And then shall all the residue be swoorne by dozins & by the townes, whyche shall make theyr presentement to the shyrfe xii. Iurrours, vpon the artycle where with they shall be charged. And it semeth that y

shyriffe ought to holde hys tourne in euery hundred with in the countye.

☞ What thynges be enquirable in the shyriffes tourne.

First, they shall enquire yf there be any murdoer in the hundred of whome any standeth in dout of lyfe or limme, and what is hys name.

Also they shal enquire of al mortall enemies to the kyng, the queue, theyr children, or councellers, of counterfaytynge ỳ kynges seale or hys monye, of manslears & murderers, bourners of others corne or houses felonyously, of Burglours, of robbours, of theues, of outlawes, of thoſe that haue abiured the realme, & come agayne, of Sorceries and wytches, of miscreantes, and heretikes, of traytours, & of poysoners, of cutters of purses, of Usurers, of vitaylers, byinge and sellynge wittingly stolne fleash: of chē that wittyngly make whyte ỳ skynnes of beastes stolen, of receyuours ỳ wittingly bie stolē clothes & diesse thē into another facyon, of treasure hid in the grounde, bues & cries wrongfully or ryghtfully leuyed & not pursued or waters stopped strayghtened or tourned of boundes pulled vp or wrongfully chaūged, of walles, houses, gates, mansyttes, dytches, or other disturbaūces made or leuyed vpon any common way to the annusaunce, of petie bribours, that there

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to haue the wolle, of suche as take therbore, & of those that haue made a prisone of theyr owne house or housholde, of pounde breach, of trespassours in parke, and poundes, of takers of other mennes dowes, of the assyse of bread and ale broken, of theym that bye and sel by measure agaynst the assyse, of chaude medleys, of contreckours, of bloudshed, of watches vnkept, of the kynges high wayes not enlarged, of those that haue kept appearyours in any other prison then the kinges or any other felon aboue a day and a nyght, of newe libertes, customes or iurisdictions vsurped syns the laste turne on water, or on lande, of weyues, of wrecches, of thefe founde and kepte away, of bridges & causeys broken, and who ought to repayre them, and of those that clayme franchyses, or iudgemetes realles, and of all those of the age of .xii. yeares gone oute of the hundred, whyche be not come in to the courte (except Clerkes, Knyghtes theyr children and wyues whyche be not in dosyns) of vagabundes by the countrey, of suche as are of ye maiesties retinue, of whome there is any cuyll suspection of lewed demeanure.

And when the townes haue geuen theyr verdite to the first Iurrours, then immediatly shall the fyrste Iurrours goe and geue vp their presentment such as they will abide

by. And the presentement of felonyes they shall shewe priuelye, and the other openlye Breton. li. i. fol. xxxviii.

Nowe muste ye inquire further yf Baylyfe of liberties and frauuchises, haue duly done their office which resteth in three poyntes, which is that they truly execute the precepres whiche be directed vnto them accordynge to the tenours of the same, and that they make due answere and retourne to the shyriffe of the same preceptes, and that he take nothynge for doynge hys office but onely the fees to him due appoynted by the course of the law. And what fees they shal take, and what thynge they ought to do by reason of their office shal appeare moste playnly here folowynge.

The office of Baylyffes of lybertyes.

Vpon a precepte made by ye shyriffe to ye baylyffe of libertye vpon a writ of distres directed to the shyriffe todistrayne the defendaunt in the same writ, or ye Iurrours in any inquest, ye baylyffe must returne good and sufficient yssues vpon the defendaunt, & vpon the Iurrours yf they haue sufficient goodes or landes within hys Baylywyke and yf he do not the playntyfe in the accion shal haue an auerment that he might haue returned greater yssues, yf the defendaunt

make

make defaute, or ꝑ turrours by the ſta. of. i. E. iii. Capitu. b. And Iuſticers of ꝑ peace muſte inquyre yf the Bayliffes haue done theyr office in that poynte.

¶ Alſo they muſt inquire yf Bayliffes of liberties why che be kepers of anye gayle enforce any of theyr priſoners to be appelours to the entet to haue a fine of the parties appealed for doubte of impriſonment, primo Edwar. iii. Capitulo. vii.

Bayliffes of lyberties which take inditementes in theyr tournes, or other where ought to take them by indenture, whereof the one parte ſhall remayne with the inditours, and the other wyth the Bayliffe. ii. Edwardi. iii. Capitulo, xvii.

¶ None ſhalbe made Bayliffe of liberties except he haue ſufficient lande in the place where he is myniſtre, to make anſwere to ꝑ kynge and hys people. iiii. Ed. iii. Capi. ix.

Bayliffes of liberties which be Jaylours and haue the keppynge of priſons ought to receyue and ſafely kepe al theues delyuered to them by the Conſtables of the townes, beyng inditedy taken with the maner, or appealed of felonie without taking ought. iiii Edwar. iii. Capitulo. x.

Bayliffes of liberties muſte receyue ſuche perſons as be arreſted in theyr fraunchyſe by the Conſtables, for ſuſpicion of felonye, that walke in the countrey by night, or be

of euil name, and shal kepe them in prysō vntyll the cōmynge of the Justices of Gayl delyuere, and in the meane tyme the Baylyfes muste enquire of the. v. Ed. iii. ca. xiii.

Baylifes of libertes, Constables and other officers of townes where loyterars & vagabounides resorte haue power to examynne them dylygently, and compell them to fynde suretye by sufficyent mainpernours & bryng distreynable of theyr good behauour. And yf anye defaute be founden in the same loyterars and vagabounides, and can not fynde suretye, they shalbe sente to the next Gayle there to remayne vntyll the comynge of the Justycers of Gayle delyuerye which maye do with them as they shal thynk best by ye course of ye lawe. viii. Ry. ii. Capitu. v.

No seruaunte or labourer at the ende of his terme shal departe out of the hundred Rape where he is dwellynge to dwelle an other where onles he bringe a letter patent conteynynge the cause of his goynge vnder the Iuges seale therto assigned. And if any seruaunt labozer be founde vagarant without suche letter, he shalbe taken for the by ye Shyrefes, Mayres, Baylyfes or other officers: & put in stockes vntyll he finde suretie of retourne to the towne to serue frō whens he came, vntyll he haue suche a letter to departe for cause reasonable. xii. Ry. ii. ca. iii.

Baylifes of lybertes haue power to ar-

yett seruauntes & labourers that weare dag=
gers swordes, & knyues: & them to seale &
kepe vntil the sessions of the peace, and the
weapens to present to the Justicers therw
the names of them that bare them, and the
weapons shalbe forfayte, except they be tra
vailling in the countrey with their maister
or their landes or busynes. xii. H. vi. ca. vi

Shyrefes and Baillifes of libertyes in
their liberties are bounden to receyue ser=
uauntes and labourers beggynge and baga
bounde, and thē to deteyne in prison without
bayle: without takynge of any fee or other
thyng of them at their entre or departyng
by thē selues or by their deputies vpō pain
of. C. s. to the kyng. xii. H. vi. Ca. ix.

Baylyfes of libertyes to whome the ke=
pynge of the assyse of breade and ale and the
correccion of thē same belongeth, shal take
no amercyament nor fyne for no defaut tou
chyng the sayd assyse for whiche the offen=
dour ought by the lawe to haue corporal pe
naunce, but they shall adiuge them to the
same penaunce. And Baylyfes of lyberties
and al other that haue the keping and ouer
syght of vitaylles shall put in due execucion
the statute made in the. xviii. yere of Ed=
warde the thyrde whych begynneth. Quia
maior pars populi, &c. xiii. H. vi. Capi. viii

Bouchers, Fyshers. Hostellars, Bre=
wars, Bakers, Pulters, and all other sel=

lars of vitailles are bounden to sell suche maner of vitailles at a reasonable pryce, hauyng regarde to the price wherat suche vitailles are solde in other places nere, so that they maye haue a competent gayne and not excessiue accordyng as by the distance of the places (from whēs the vitailles are carted) they shal thynke reasonable to be required. And yf any sel vytailles in any other maner and there of beconuicte, he shall paye the double of that he hathe receyued to the partye endammaged, or in hys defaute to any other that wyll sue therefore. And Mayres and Baylyfes of townes. &c. haue power to enquire of al such as offende agaynst this ordinaunce in any poynte. And in case that the same Mayres, and Baylyfes be neglygent in doyng execucīō of the premisses, and therupon be conuycted by thē Justycers assygned by vs, they shall be compelled by the same Justicers to restore the triple value of the thynge solde to the partye greued, or to any other that in hys defaute wyll sue and neuertheles shall be greuously punyshed agaynste vs. xviii. Edwar. iii. Capitulo vi.

No Stewarde, Baylyffe, nor other mynistre of lordes of fraunchises whiche haue returne of wrytte shal be attourney to any person in any matter within the same fraunchise or bailewike where he is officer at any maner of tyme. iiii. H. iiii. Capitulo. xix.

Of shyrifes.

If any heynous ryotte be made, the Iuſtices of the peace, and the ſhyrefe or vnder ſhirefe ought to do theyr office accordyng to the eſtatue made. xiii. H. viii. And yf they do not, at the ſute of the partye greued a Commyſſyon ſhall go forthe to inquire therof, & of the defaulte of the Iuſticers and the ſhyrefe, and the coroner ſhal ſerue the proceſſe, and he muſt retourne perſons that haue lād to the yeerelye value of. x. li. and ſhall retourne alſo. xx. s. in iſſues at the fyrſt daye, and. xl. ſhyllynge, at the ſeconde, and at the thyrd. C. ſhyllynges and ſo doubleit at euery daye after. And yf defaute be in the Coroner in retournynge the iſſues, or of perſons of ſuche lande, he ſhall leſe. xl. li. And yf the olde ſhyrife be dyſcharged, the newe ſhyrefe ſhall ſerue the proceſſe, and not the Coroner vppon payne of. xl. li. yf the defaute befounden in hym, touchynge the retourne of other perſons by hym ympanelled which haue not landes to the yerely value of. x. li. or to retourne ſuche yſſues as the Coroners be charged with. And Bayliffes of lybertyes are bounde for to impanell ſufficiēt perſons, as aboue is ſayde vpon payne to leſe. xl. li. in caſe that ſuche perſons may be fond wythin hys bayliewike. ii. H. v. ca. viii

Bayliffes of fraunchiſes ought to make theyr retournes. and aunſwers vnto the ſhirefe vppon hys precept made vnto them in

a sperall wryt of assyse. vi. dayes before the daye of the sessyons, vppon payne to forfayt xl. li. for euery tyme that they shal do the contrarye. vi. Hen. sexti. Ca. secundo

Where a precepte is made to the shyrefe by Justycers of the peace to retourne a panell to enquyre of forcible entre, and he sendeth hys precept to the Baylyfe of the lybertye to returne ꝑ panell bycause the ryot was doue within the lybertye, nowets the Baylyfe bounden to make due retourne & execution of the preceptes to hym dyrected, vpō payne of, xx. li. for euery defaulte. And the Statute wyll, that the Shirefe shal retourne. xx. s. in issues vpō euery Jurour at the fyrste daye, and that euerye Jurour whiche shall passe in the enquyre of al spēde xl. s. yerely, wherbyit semeth that baylifes of lybertyes are bounden to do lykewyse, yf so many of the sayd Jurrours be within his liberty for els he is not. viii. H. vi. ca. ij

Baylyffes of lybertyes in attayntes vpō plee of land of the yearely value of. xl. s. or more nor in attayntes for dedes concerning landes of lyke value, nor in attaintes vpon personal actions wherin the recouery extendeth vnto. xl. li. or more shall not retourne or impanell any persons in such inquestes, but those ꝑ be dwellynge wythin his bayle wyke, and that haue estate to their own vse in landes or tenementes for terme of lyfe or

the yerly value of twenty pounde or more wythin hys baylewyke out of auncient demesne and the kynge portes. And at the fyrste daye of the distres retourned shall retourne no lesse issue in suche actions of attaynt the .l.s. and the seconde distresse. C. s. and the double of euery other distresse vpon the persons so impanelled and retourned. And yf he do the contrarye, he shall paye. C. li. to the kynge and as muche to the party. xv. Henrici, sexti. capitulo. quinto.

Baylyffes and other the kynges officers maye arrest those souldyours that come from the see, and shew not letters testimonyals from theyr captaynes that they haue licensed thē And they shall kepe them vntyll they haue inquyred whether they had lycense or not, And yf they haue no such lycense, then shall they be punysshed as felons. xxviii. Hen. vi. capitulo. xix.

No Baylife of a lybertye (vpon any precepte to hym directed to returne the panell of any enquest) shal in the same returne any baylyffes, officers or seruauntes to any officer aboue sayde, nor shall take any thynge by them selfe or by other of anye persone by them arrested or attached to theyr own vse or auayle, nor yf any other persō for any arrest or attachemēt by the body made by thē or that is arrested by vertue of theyr office forfaite, forfaite of person, mayntys, letting

to

to bayle of the wynge of anye ease or fauour
to any person so beynge arrested for their re
warde or profit, but as is here limitted, that
is to wete for the syrste. xx. d. the bayliffe
maketh the arrest. iiii. d, and to the taylour
yf the prisoner be committed to him. iiii. d.
And no bayliffe of any libertye, nor Coro-
ner by hym selfe, nor by other by colour of
his office shal take any thing for ỹ making
of retourne or panell, and for the copye of
a panell but. iiii. d. And bayliffes of liber-
tyes shall let out of prison all prysoners by
them arrested or beynge in theyr kepyng by
force of any byll, wrytte, or warrant in any
accyon personal, or by force of any indyte
of trespas, vpon reasonable suerty hauyng
sufficient within the bayle wyke wher they
be let to baile, to kepe theyr dayes in ỹ same
places as the same byll, wryt, or warrante
shall requyre, those only excepted, wherby be
in warde vpon any condempnacyō, or be ex
cōmunycate, or outlawed, or arrested vpon
suerty of the peace, and vagarauntes that re
fuse to serue. And that the sayde bayliffes
shall not take any obligacion of any person
nor by any person beyng in theyr warde by
course of the lawe, for any the causes above
rehersed, but in the name of theyr office and
vpon the condicion that the same persons
shall appeare at the dayes contayned in the
sayde wrytes, byllys, or warrantes, and in

such places as they require. And if any bayly lyffe take any obligacion in any other fourme by colour of his offyces, it shalbe voyde, and ꝑ he shal take no more for the makynge of any suche obligacion, warrantye, or precept by them to be made, but .iiii. pens. And yf they do contrary vnto this ordinaunce in any poynt, for so doynge they shall render to the partye grcued hys damages triple, and shal forfayt for euery time that they doe the contrary .xl. li. ꝑ one halfe wherof shalbe to hym that wyl sue in any of the kinges courtes therfore. &c. prit[illegible]en. vi. capt. x.

Bayliffes of liberties ought not to ceasse the goodes of anye person arrested or imprisoned for felony, before that they shalbe conuict or attaynted of the same felonye accordynge to the lawe or els that the same goodes be otherwyse forfayted, vpon payne to forfayte the double value of the goodes so taken, vnto the partyes endamaged, suynge therfore by accion of det, wherein no wager of lawe, essoyne, nor protection shal in anye wise be allowed to the defendaunt. i. Richar. iii. ti. Capt. iii.

Baylyffes of liberties that be gaolers, and haue the keppynge of gaoles shal certifye the names of euerye prisoner in hys Gaole that is there for felony, at the nexte generall gaol deliuery in euery county, or franchise (where such gaol is) to be kalendred before

the iustices of the same gaol deliuery, vpon payne to forfayt for euery defaulte there recorded. L. s. Anno. iii. Hen. vii. Cap. iii.

All bayliffes and other hed officers and euery of them fyndynge or knowynge anye person vsynge or exercisynge anye vnlawfull games contrarye to the statutes, haue power to commit euerye suche offendour, to warde, and there to remayne in prison without bayle or maynprise, tyll suche tyme as he be bounde by obligacion in suche summe as by discretion of him that taketh ꝑ bonde semeth reasonable, to the kynges vse, that he shal play no more. An. vi. Hen. viii. ca. ii.

All statutes made agaynst shyriffes vnder shyriffes, bayliffes, or other ministers, for makynge and returnynge of panels, or iuryes, or for due execution of settinge of writtes or other processe, or for takynge of fees, or for the reformacion of extorcions, or for any other thyng concernynge their office, & all paynes contayned in euery such statute shalbe extended to all stewardes, bayliffes, and other mynysters and officers of lyberties and fraunchyses hauynge retourne of writtes and execution therof, in lyke maner as they extende to shyriffes, theyr vnder shyriffes, bayliffes or other ministers, saueing ꝑ the bayliffes and officers of lyberties may occupy their offices for as long time as they shalbe geuen vnto thē. Anno. xxvii.

henrici octaui. Capitulo. xviii.

The office of Eſchetours.

YE ſhall enquire of Eſchetours, if they haue duely executed theyr office, and yf they haue taken any more for doynge therof then they ought, or if they haue commited & done any extorcion, or oppreſſion vnto the kinges people by coloure of their office. And therfore ye ſhall vnderſtande that no eſchetour ought to medle or enquire for the kyng but in caſe where the kynge of right oughte to be entreted, and haue the lande or thing that is founde for him by the enqueſte, for yf one holde of the kynge as of hys duchye of Lancaſter by knyghtes ſeruyce, and by hys heyre beinge within age, the kynge oughte to haue the ward of the heyre, and the laind. And yet in that caſe yf the Eſchetour fynde it by office, he ſhall haue nothynge for the fyndynge therof, becauſe the tenaunte holde not of the kynge in chiefe, as of his crowne. And therefore the kynge maye entre & ceaſe the lande and the heyre without office, and may graunt it. In lyke maner, yf the Eſchetour fynde by office that one dyed ceaſed & holde of other lordes and not of the kynge by knyghtes ſeruyce, and that he is deade & hys heyre wythin age, the Eſchetour ſhall demaunde nothyng of right for fyndynge of ſuche an office. And ſo yf he fynde an office

that

that one dyed ceased of such a manour in fee and holde of the kynge as of suche an honor or castel by knyghtes seruyce, and his heyre within age, yet oughte not the Escheatour to haue any fee or dutye for the fyndynge of that office, and yf he take any thing therfore it is extorcion, whiche is well proued by a wrytof (diem clausit extremum) the wordes whereof be these. Quia Georgius Fer. qui de nobis tenuit in capite die quo obiit, diem clausit extremū, vt accepimus, ideo tibi precepimus. &c. Wherby it appereth that if one holde not of the kyng in chiefe, the Escheatour ought not to haue the fee of .xl. shelynges for fyndyng of the office. And yf he take it in that behalfe, it is extorcion.

And in assise if the defendaunte saye that the landes are ceased into the kynges handes by the Escheatour, and the Escheatour beynge there present and examined by the Justicers therupon do confesse that he hath ceased the landes into the kynges handes, where in dede he hathe not so done: In thys case the Escheatour doth wrōg to the playntyfe, whiche maye haue an accion vpon hys case agaynst the Escheatour for his falshed, and for the delay that he hath susteyned the towe that confession by suyng to the kynge for a (Procedendo.)

Mone shal Subescheatour, onles he haue sufficiente landes in those places where he

is offycer to answere to the kynge and his people, in case that any wyll complayne agaynst them. Anno quarto. Edwardi tercii Capitu. ix. & Anno .v. eiusdem. capi. iiii.

¶ The Escheatours shalbe chose euery yere as the Shyrysses shalbe and by ȳ same persons that chose ȳ Shyrysses. And that no Escheatour shall abyde in hys offyce aboue one yere. an. xiiii. Edwar. tertii capi. vii.

¶ The Escheatours shall not do waste in Bysshoprykes, and other places duryng the vacacyon of them, neyther shall sell vnderwodes, nor chase in parkes or warrens, nor fysshe in pondes, or free fysshynges, nor may take no fynes of auy tenementes fese nor bonde but shall cause them to be kepte and saued wythout doynge damage or auy maner of oppressyon. An. xiiii. Ed. iii. ca. iiii.

¶ So by thys estatute it appeareth that it appertayneth to the offyce of an escheatour to cease the temporalytes of Archebysshoprykes, bysshoprykes and abbayes of the kynges foundation, duryng the vacacion of ȳ same, and take the profites, and to accompt for them to the king in ȳ Escheker. Wherbe it there is an other estatute made in the same yere, the effect whereof is, that ȳ the Deane and chap. pryour or suppryour wil take temporalryes to ferme, paying the value accordynge to the remembraunces in ȳ Escheker, that they shall haue them before

any other. And by an other estatute made the same yere. Capitu. quinto: the Chaunce lour, Treasurer of the Escheker takynge to them suche other of the counsayle, as they shall thynke good, shal lease the vacations of Archebishoprikes, bysshoprikes, Abbeys Priories, and other houses of religiõ (that noy dãce whereof belonge to the kyng) ꝑ Deã and chapitre, Pryour, or Suppriour, Priores or Suppriores, and Couent at a certayn rent to pay by the yere quarter or moneth, durynge the vacatiõs as they shall thynke best, with out makyng fyne. And neyther ꝑ Escheatour, nor any other officer shall sette cause or matter, to entre, or to medle, or do any thynge in preiudyce of the church. Saue unto the kyng and his heires knyghtes fees, aduousons, Escheates, wardes, mary ages, relyefes and seruyces to the sayd fees belongynge. In wytnesse whereof ꝑ kynge caused his letters patentes to be made ther of dated at Westmin. ꝑ eyght day of Apryl the yere aboue mencyoned, whereby it appereth that thauctheritie afore sayde to make leases was gyuen to the Chaunceler: ꝛ the Treasorer by the kynges letters patentes ꝛc. Anno. xiiii. Ed. iii. Ca. vi.

¶ The Escheatours and other the kynges mynysters must acõpt in the Escheker after this maner, ꝑ is of landes ꝛ tenemẽtes whereof profyte ariseth from tyme to tyme, throughout

ruter the yere as of Mylnes, herbages, tol-
lees, profytes of courtes, or such other is-
sues and profytes, they shal be bounden to
answere the kynge for ꝑ rate and value of
ꝑ tyme accordyng to the olde course of the
cheker. And touchyng auncient fermes and
rentes, that are to be payde at certayne ter-
mes as rent seeke, & rent seruice wherof no
profyte arysseth vntyll the day of payment:
suche rentes and fermes shal be payd vnto
them ꝑ haue ysuere therof out of ꝑ kynges
hand at the termes of payment of the sayd
fermes & rentes next folowyng such liuere
made, aswel for ꝑ tyme past, as ꝑ tyme to
come an. xxviii. Edwar. iii. cha. iiii.

¶ The kynge and his progenytours haue
bene ceased of forfaytures of wardes, tyme
out of mynde that is as well of landes and
possessions as of goodes & cattels. And by
colour therof thescheatours by theyr offyce,
haue ceased many landes, and tenementes
as forfaytes to the kynge, surmysynge trea
son in some persons beinge deed at ꝑ tyme
of the ceaser, whiche neuer were attaynted
in theyr lyues, the kyng hath ordayned tou
chyng suche forfaytours that fell in ꝑ tyme
of his graundfather, or before that so sone
as an inquest therof shalbe retourned into
the chaūcery by any Escheatoure or other ꝑ
hath power to enquyre therof, the tenaūte
shal not be put out of possessyon, but shalbe

warned by a Scire facias, to appeare at a certayne daye for to answere vnto ꝑ same, yf he wyll, and yf no suche forfaytours be founde the kynges hande shalbe closed, so that in al other cases of forfaytours of treason by persons deceased not attaynted, nor iudged in theyr lyues, theyr heyres nor lãde tenauntes shall not be chaleuged nor impeched of any other forfaytours, but of those onely that haue bene iudged in tyme passed afore the death of certayne persons by presentment in Eyre or in the kynges benche, as of felons of ꝑ kynge and other. And therfore it semeth that if one moue war against the kynge in his realme, and is slayne in the same then the escheatour maye cease the landes and tenementes, as forfaytour of war wout any other inquirye to be made therof.

¶ Euery escheatour muste take his enquestes of office of good and lawfull men sufficyent of inheritaũce, and of good fame, and of the same countye where the enquyre shal be made. And the enquestes shalbe indyted bytwene the escheatours and the Iurours, & yf it be otherwyse done, they shalbe voyde, and they shalbe takẽ in good townes openly.

¶ Trauerse maye be taken to the escheatours office, wherby any alyenacyon or dying seased or that the heyre is within age, and the lande holdẽ of the kynge in chefe is founde.

¶ Landes seased into the kynges hãdes by

reason

reason of warde shalbe kept without wast. And the escheatours shall haue no fee of venison, fishe, nor other thinge, but shall answere the kynge of the issues and yerely profites arysinge of the sayde landes wythoute wast. And yf he do otherwyse, then to make fine at the kinges wyll, and to paye treble damages at the sute of the heyre, as well within age, as of ful age.

And yf he be within age hys frendes shall haue the sute for hym, and answearynge for the heyre of that, that shall be so recouered of hym. Concernynge other landes seased into the kynges handes by inquest of office by the escheatour this forsayde ordinaunce and punishment shall holde place agaynste the eschetour. And yf any make clayme to landes so beinge seased, the escheatour shall returne an inquest into the Chauncery within one moneth after suche seasen, so that a wryt be deliuered to him to certifie ꝑ cause of the seasen, and there shall the partye be heard to trauerse the office, or otherwyse to shew hys ryghte. And the Chauncelloure vpon hys owne discrecion (yf he see cause) maye lease the landes to the tenaunt e payinge to the kynge the value, yf it belonge to the kynge, so that he fynde suretye, that he shal doe no waste vntyll it be adiudged.

And the Escheatours shall take theyr inquestes in good townes, and by honeste

mente openlye by Indenture to be made betwene the Escheatour and them of the inquest. And yf he do contrarye to this ordynaunce: then to haue two yeres imprysonment, and further to make fyne at the kynges pleasure. An. xxxvi. Edwar. iii. ca. xii.

¶ None shalbe Escheatour yf he haue not xx. pounde lande at the least or more in fee, and that they exercute theyr office in propre persone. And yf he be otherwyse then to be put out, wherby it appeareth that the subescheatour can not enquyre nor fynde office Anno. xii. Edwardi. iii. Capitulo. v.

¶ Escheatours nor cõmyssioners shall not take enquest, but by those that be impanelled and returned by the shyrefe, and if they do otherwyse and be conuycte by examinacion or otherwyse at the sute of the party, or of the kynge, or any other person that wyll sue: they shall encurre the payne of. xl. pounde the moyte to hym at whose sute they shalbe conuycte. And that no landes seased into the kynges handes shall be let to ferme by the Chauncelour, vntyll the inquest and verdyt is be returned into the Chauncery, and by one moneth after the same returne, except it be to the partye greued whiche was put out of those landes by the inquestes, and wyll offer to trauerse them, and shew good cuydence and fynde sufficient surety to sue his trauerse with effect, and to paye to the

kyng

kyng the yerly value of the landes yf it hap to be discussed for the kynge. And yf anye letters patentes of any landes or tenemen= tes to the cõtrary be made to any other per son then to hym that offereth to trauerse, or be let to ferme within a moneth next to ꝑ sayd moneth of retourne they shalbe voyde and holde for none. Anno. viii. H. vi. ca. fix

¶ Escheatours and Commissioners shall returne ꝑ enquestes take before them into the Chauncery or in the Escheker within one moneth next after the takynge of the same vpon payne of, ff. li. the one moyte to the kyng, the other to hym that wyll sue. Anno viii Henrici. vi. Capitulo. fix.

¶ And yf anye Escheatour take anye office before hym, and do not returne the same in= to the Chauncerye or the Escheker within ꝑ moneth next after the takynge thereof, he shall encurre the payne of, xl. li. forfayte by the statute made. An. viii. Henrici. vi. and further shalbe bounden to pay to the kynge asmuche as he is endamaged by the not re= turnynge of the same. And that the Chaun celour of Englande callynge to hym the tre surer of Englande, may lease suche fermes for the due execucion of the sayde Statute: Neuertheless it appereth that ꝑ same sta= tute gyueth but. ff. li. of forfayte agaynste the escheatour or cõmissioner. Therfore serch for the true recorde of both the statutes. An

pv tii. Hen. vi. Capi. vii.

¶ Escheatours muste take theyr inquestes of office by vertue of the writtes of (dicē clam sit extremū) and other writtes within one moneth after the receyte of the same, & that suche inquestes be taken in good townes, and open places. And that none of them pticulerly nor openlye by hym selfe or by other, take anye thynge for the execution of suche writtes in one countye aboue the summe of vi. s. viii. d. or. xiii. s. iiii. d. or vnder vpon hys labour & hys coastes, so ꝓ the same ꝓ he hath take altogether excede not aboue. xl. s. for ꝓ execution of any such writ in one countye. And yf he do contrary to the premisses, then to forfayte the summe of. xl. li. the moyte to him that wyll sue for the kynge and hym selfe. Anno. xxiii. Hen. vi. Capi. xvii.

¶ None shalbe Escheatoure, yf he haue not, landes or tenementes to the value of twentye poūde within the county for terme of lyfe, nor in the county where he is Escheatour. Nor no Escheatour shall let hys office to ferme, nor make deputie (other then he wyll at his perell answere for) whose name he muste certifie by hys letters patentes to the Treasurour and Barons of the eschekier for the tyme beynge within. xv. dayes after such deputacion made. And that no suche deputye take vpon hym to occuppe in ꝓ said office vnlesse the escheatour haue landes

tenementes

uementes or rentes to the yearly value of. C. pounde as before is sayd. And if any person do contrarye to the premisses or any of thē, then to forfayte for euerye defaulte. xl. li. the one moyte to him that wyll sue, and the other to the vse of the kynges house by action of det, where no wager of lawe essoyne or protection shall lye. An. xii Ed. iiii. cap. ix.

¶ No Shyrife, Escheatour, nor other person shal seaze or take the goodes of any person arrested or imprisoned for felony, before that the same person so arrested or imprysoned be conuict, or attaynted of the same felonye according to the lawe of Englande, or that the same goodes shall be otherwyse forfayted vppon payne to forfayte the double value of the goodes taken to the partye damaged suynge therfore by accion of det, where no wager or law, essoyne nor protection shall lye, Anno. i. Ri. iii, Cap. iii.

¶ If any Escheatour, or commissioner put to any of the kynges courtes any inquisicion or office concernynge landes or tenementes or other hereditamentes not founde nor presented by the othes of twelue men, and indented and by them sealed, then to forfayte for euery suche offence retourned and put in to anye of the kynges courtes one. C. li. to the party greued. An. iii. Hen. vii. Cap. ii.

¶ No Escheatour nor other commissioner shal syt by vertue of any Commission to en-

quyre of landes and tenemeutes, except they haue landes or tenementes or hereditamentes to the yerely valur of .xl. marke, ouer all charges vpon payne of twētye pounde.

¶ The Escheatours and Commissyoners shalbe discharged by theyr othes, that they maye not dispende .xl. marke ouer all charges, and that vpon processe made agaynst them out of the chekker. The Escheatours & Cōmissioners shall syt in open places, and shal suffre euery person to gyue euydence openly in theyr presence to the inquest taken before them vpon payne of .xx. li.

¶ The Jurye shal receaue the counterpane of the Jndenture that shall be presented, indented and sealed by the Escheatour Commissioner, and to rest in the possession of the fyrst man that was swornc in the same Jurye vpon payne of euerye person that shall be swornc, twenty shyllinges.

¶ And euery Escheatour and Cōmissioner after ꝓ the Jury is swornc & readye to geue their verdit and offre to presente the same, that the same Escheatours or Comissioners or parte of them shal receyue the same verdit without further delaye, vpon payne of a .C. li. & delyuer the counterpayne of the same Jndenture to the Jury in fourme before sayde vpon the same payne.

¶ And yf the clerke of the petit bagge, or hys deputye wyl not receyue suche offices,

and

and putte it into the fyles to remayne of record within thre dayes after it be receyued or offred to be receyued, he to forfayte for euery suche default. xl. li. And ỹ cõmissioner & Escheatour to be discharged of the penaltie of. xl. li. limitted by the statute for none returnynge of the same offyces, or inquisicion with in one moneth.

¶ And lyke lawe and penaltie to be agaynst the offycers in the kynges Escheker which ought to receyue suche inquisition, for refusynge so to receyue them. And the Cõmissioners and Escheatours to be discharged of the penaltie for none retournynge of the same inquisicion, so made by ỹ said Escheatours or Comissioners at anye tyme after the moneth of such office before them foũde or before anye of them within an other moneth then next ensuing, retourned the sayde office into the Chauncerye, or Escheker, as the case shall requyre. And the clerke of the petit bagge to certifye the transcript of euery such office taken before any cõmissioner or Escheatour, into the Escheker the nexte termefolowynge the receyte thereof, vpon payne of a. C. s. for euery suche defaulte.

¶ And no man be compelled to occupy the office of Escheatour by any patent ouer one hole yere, and that he that is ones Escheatour, shal not be Escheatour agayne within. vi. yeres next after ỹ sayd hole yere ended.

¶ If any Escheatour exercyse his office by reason of anye patente ouer the tyme of an hole yere ended, or be made Escheatour within thre yeres after: then after the sayd hole yere ended, his patent so made to be voyde, and the partye greued shall haue by recouery of enery of the sayd forfaytours of one hundred li. by accyon of dette, where no wager of law essoyne or protection be alowed. There be dyuers prouysyons made for dyuers Escheatours in cyties and boroughes and in dyuers counties.

¶ And yf the landes or tenementes of anye man be seased in the kinges hand by vertue of any office founde before the Escheatour or Commyssioner, or by reason of any other record founde in the Chauncerye, or thexchekker, and he that so is put out of hys landes by reasō of such record or office so founden come and trauerse that record or office and it is found for hym: where vpon he hath his iudgement, that the kynges handes be closed and amoued: nowe yf so be that there be an other record or office founde remaynyng amongest the kynges records which is not trauersed nor tryed, yet shall not the escheatour sease the landes agayne into the kynges handes by the reason of that record beynge founde not trauersed. And yf he doo, then doethe he wronge and extorcyon and the partye that is put out shall haue a

sise agaynste hym, and shall recouer double damages agaynst hym. But in this case the kyng must sue a (Scire facias) against him that hath the landes out of his handes vpō this other record or office, that was not trauersed before. This is gyuen by the statute of Lincolne, called the statute of Escheatours. Anno. xiij. Edwardi secundi.

¶ And yf the escheatour by colour of his office without warraunte or auctholitye of the lawe that belongeth to his office dissese any man of his landes or tenementes: the partye that is dissesed shall haue an assyse of Nouell dissesen, and shall recouer double damages agaynst the escheatour.

Westmin. i. Capitulo, xxvi.

¶ The escheatour hath no power to amercy any man that appeareth before hym, and myssemeaneth hym selfe, or yf the Iurrours that be somned appeare before do make default, he shal record such thynges in his rolle, and shall not amercye the Iurrours, but he shall sende the same record to the Iusticers in Eyre, or to ỹ Iusticers of Assyse, when they come into the countrie.

¶ It shalbe lefull to the shyriffe, Iustice of peace, and Escheatours to seaise to the kynges vse all suche goodes and cattalles that such persons as come within this realme, that be called Egyptians haue, and therof to make accompt to the kynge in his Escheker,

ker, and to retayne and kepe the moyte therof to his owne vse, and accompt for the rest due, and to paye no fees for the accompte, nor for his discharge therof.

¶ The office of Constables.

FOr asmuche as the office of a Constable was an office at the comon lawe, of long continuaunce, and was first ordayned for the conseruacion of the kynges peace to be had and kept in euerye towne among the kynges subiectes there dwellynge, somewhat shalbe spoken. And howe farre forthe theyr power doeth extende, and what penalties are prouided agaynste them, for not executynge theyr offices.

¶ Who were conseruatours of the peace at the comon lawe.

IT is nowe to sene for the conseruation of the peace, what persons by the common lawe had auctho̅rytye therein, before the makynge of the statutes whereby Iusticers of the peace are ordayned.

And it semed that by ꝑ comon lawe diuers persons were conseruatours of the peace: for at the comon lawe there was one person which is called chiefe iustice of England to whō ꝑ king cōmitted his auctho̅rytye in the ministracion of iustice for thinges touchyng his Corone, and for the conseruacion of his peace amonge his subiectes throughout all his

hys realme. And that is proued by the writ whyche the kyng sendeth to hym, that he shall holde his place in the ministracyon of iustice to hys subiectes in the fourme aboue sayde throughoute all his realme, wherby it doeth appeare that the same chiefe iustice is high conseruatour of the peace throughout al the counties of Englande, and in euery parte of the realme where he goeth. Also there be other persons conseruatours of the peace throughout the realme: as ỹ stewarde of Englande, the marshal, and the constable of Englande. Also the constables of euery towne were and be kepers of the peace by the comon lawe, lykewyse the hygh Constables of hundzeds, wapontakes, lathes, and rythinges were and be conseruatours of the peace by the cómon lawe wythin the townes or hundzedes, and wythin their limittes. And before the makynge of the statutes wherby Iusticers of the peace are ordayned, the kynge by his commission made Conseruatours of the peace in those cōtries and places (wher hym thought best) to kepe his peace, and the auctoritie which conseruatours of the peace hadde by the comon lawe, is the same auctoritie that a Constable of a towne or wepontake hath at this day, which I shal partly touche.

¶ If one make assault vpon the Constable, the Constable maye defende hym, and maye take

take hym, and commit him to the Jayle vntyll he haue founde suertye to kepe ꝯ peace, thoughe that the assaulte were made vpon hym selfe. As it appeareth Mich. Anno Henrici septimi, in the rytle Barre. Muche more then yf a Constable se one makyng assaulte vpon a straunge person, he may take him & cõmit him to prison, or to ꝯ Jayle, vntil he haue founde suretye to kepe ꝯ peace.

And yf one man threate another where vpon he that is threatened commeth to the Constable, and sheweth hys matter, and prayeth him to compell hym that so threatened hym to fynde suretye: in thys case the Constables and the partye that is threatened maye goe, and compell hym that so dyd make suche threatenyng to fynde suretye to kepe the peace, and yf he wyl not, they maye cõmit him to warde vntyll he hathe founde such suretye as you maye se. M. xliiii. Edwardi tertii in the title of Barre.

¶ And yf one be stryken in parel of death, it is the office of the Constable of the towne to arrest the offendoure, and to kepe hi prison, vntyll it be knowen whether the partye so stryken wyl liue or dye vntil that he haue founde suertye to appeare before ꝯ iustices of gaole delyuere, or at such tyme as he shal be called vpõ to appeare before the iustices at their discretion.

¶ And yf one stick for felony it is the office of

the

the constable of ꝑ towne to cease his goodes and to kepe them, and if they hap to be unpayed in his keppynge, he shall answere for them to the kynge. ii. Ed. iii, in the shyre of Northampt̄, but by the statute made. i. Ri. that. iii. cap. iii. that is chaunged. And if felons or murderers be in the towne, & the constable haue knowledge therof, it is his office & ducty to assemble people for to take them.

¶ And yf one take a felon in the towne and bring hym to the Constable to be conueyed to the gaole, the constables office is to cary him thither, and to cause other of the towne to ayde and assist him in so doinge.

¶ And note that constables were ordeyned for two intentes: that is to wyt to kepe the peace, & also to repulse felons, to take surety by obligacion of such persones as they shall finde makyng affrayes.

¶ It appertayneth to the office of the chiefe constable of Englande to haue conusaunce of dedes of armes and contractes touchynge dedes of armes & of warre out of the realme and in like maner of thynges touchynge armes within the realme whiche cant not be determined by the comon lawe, as it appeareth clerely by the statute made ꝑ. viii. pere of. Ri. ii. Cap. ii.

¶ Also it appeareth by the statute made. An no primo Henrici. iiii. Capitulo. viii. that all appeals to be made of thynges done out

of the realme of Englande shalbe tryed, and determined before the Constable, and Marshal of Englande for the tyme being.

¶ Also when baytaile is ioyned in a wryt of right or in appeale, that shalbe derayned before the Constable and Marshall, how beit the iustices must se ꝑ baytayle done because ꝑ they be properly Iudges therof, & not the Constable nor the Marshal.

¶ And the Cõstables haue many other authorities as well by the comõ law, as by statutes made, the whiche you maye see there.

¶ Anno septimo Edwardi quarti, it is sayd, the Gardeyners of the peace at ꝑ comon law may enquire of congregacions, and vnlawfull assembles, and of disseason with force, but not of entres with force. But now by the statute, if one entre with force, or do disseasō with force, or entre peaceably, and kepe possessiō w force, ꝑ iustices of peace maye make restitution to the partye, & put him i possession by their writ directed to the shiriffe.

¶ Constables in ꝑ townes where they beare office may arrest men that go or ryde armed in fayres, markettes, by daye or by nyght, & take their armoure as forfayte to ꝑ kynge, imprison them at the kynges pleasure. An. ii. Ed. iii. at Northhampton.

The kynges purueyours ought to make theyr purueyaunce for the kynges house, by the Constable, and foure honeste men of the townes

townes where such purueiours shalbe made without threatenynge. And in presence of the Constable, tayles shalbe made & sealed with the seales of the takers, betwene ꝑ saids takers & ꝑ partyes of whō ꝑ goodes be takē. And if any taker, make his pryse otherwyse, it shalbe done vñ him as with a thefe. Anno. xii. Edwardi. iii. Capitulo primo.

¶ Constables of townes must arrest suche as passe by nyghte, of whome suspicyon is had: and delyuer theym to the Shyrife, there to remayne in warde, vnty̆l they be duely delyuered. Also they must arrest suche as be called Robberdes men, Wasters, and Drawe latches (yf suspicion be had of auy̆ suche) be it by nyght or day, & delyuer them to the Shyriffe vntil ꝑ sompnge of the iustices gaole delyuere. An. v. Ed. iii. Cap. xiii.

¶ It is ordeyned ꝑ none shal take for threshyng a quarter of wheate or corne aboue. ii. d ob. and for a quarter of barlye, beanes, pets, and otes, i. d. ob: yf so muche haue ben vsed to be geuen, and in the countrey where they vse to reape by the sheffe, and threshe by the bushell they shal take no more nor otherwise And that suche labourers & other seruauntes shal make an othe two times in the yere before Lordes, Stewardes, Baylifes, & Constables of euery towne, to doe and kepe thys ordinaunce, and that none of them shall goe outs of the towne where they dwelled in

wynter for to serue in somer (yf he can haue seruyce in the same towne) sauing to ꝑ folke of the countries of Staffordc, Darby, Lancaster, Crauen, and the marches of Walles, therefre libertye to labourc in other countreys in the time of Auguste. And they that refuse to make suche othe, or to perfourme ꝑ thyng that they haue swoone and taken vpō them shalbe put in the stockes by the sayde Stewardes, Bailiffes, Constables of townes, by the space of thre dayes or moore, and shalbe sente after to the nexte gaole, & there to remayne vntyll they wyll be ordred, and that there be stockes in euery towne for the same intent. And the Stewardes, Bayliffes and Constables, shall make othe before the Justices assigned to enquire diligently of al them that offende agaynst this ordinaunce, and to certifye theyr names before the same Justicers when they shal come into the countrey, to kepe their sessions, vpon which certificat made the same Justicers shall cause theym to be attached by theyr bodyes to appeare before the sayd Justicers, to answere vnto such contemptes, so that yf they be attaynted, they shal make fyne and raunsome and further to be commaunded to prison vntyl they haue founde surety to serue in maner aboue sayde. And the Justicers at euery time that they shall come into the countrey, shal enquire of Stewardes, Bayliffes and

constables,

constables whether they haue made good & lawful Certificat, or haue conceyled ought for any gyfte, procurement, or affinitye, & shall punysh them by fyne and raunsome yf they be founde gylty. Anno. xxv. Edwardi tertii Capitulo secundo and octauo.

¶ Cõstables of townes where as faytours & vagabounde resorte haue power to examyne them diligentlye, and compell thẽto fynde suertye of theyr good behauour by sufficiẽt mainpernours dystreynable in case yᵗ any default be foũden in such faytures, and vagabounde. And yf they can fynd no such suertie then to be sent vnto the nexte Jaile, there to remayne vnto the commyng of the Justicers of Jaile deliuere, which haue authority to do with suche faytours & vagabounde as they shal thynke best to be done by the lawe. Anno primo Richardi. ii. ca. b

¶ Constables of townes maye arreste any seruaunte labourer commyng to the towne from any place vagarauunt, onles he haue a letter cõteynyng the cause of his goyng, and the tyme of hys retourne, vnder the kynges seale that therto shalbe assigned and deliuered to the custodye of some honest man of yᵗ Hundred, Wapentake, Tirye or Borough accordyng to the discrecion of the Justices of peace. And the constables may put him in stockes, and kepe hym vntyll he haue founde suertie to returne to his seruice, or to serue in

the towne frō whence he came, vntil he haue a letter to depart vpon cause reasonable. Anno duodecimo Richardi secundi Capitu. iii.

¶ Constables haue power to arrest seruaun tes and labourers that beare about thē dan garde, dagger, or kuyfe, and to seafe the said weapons as forfayte, and them to kepe vntil the sessions of the Justicers of peace before whom they shal present such weapons with the names of thē that bere thē: except ꝑ they trauayle in the countrey in theyr maysters message. Anno. xiiii. Richardi secundi ca. vi

¶ Shyryffes & other the kinges ministers maye take the power of the countrey to re presse assembles, and ryotes in outragyous nombre, and to cōmyt them to pryson. Anno xvii. Richardi secūdi Capitulo octauo. It se meth by these wordes (the kinges ministers) that constables of townes haue powre to do so by theys acte aswel as the Shyryffes.

¶ Constables may arrest seruauntes labou rers, and imprysonn them by the space of fyue dayes, whych vse not bowes & arrowes vpō soundayes, and suche other Festiuall dayes, whyche wyll not leaue vtterly al playeng at the bal aswel with hand as wyth foote, and other games called coytes, dyce, castyng of ſ stone, keyles, and all other lyke importunate games. Anno. xi. Henrici quarti capitu. viii

¶ Constables and all the kynges lyege peo ple that are able to trauayle within the cō

tie must be assistinge & aydynge to the Justi
ters of peace, & the shyryffe to represse greate
ryotts, and vnlawfull assembles vpō payne
of imprysonmente and to make fyne & raun
some. Anno secundo Henrici quinti Ca. viii.
¶ Constables shalbe made in euery parrie of
the Marches of Wales, & marcette townes
to enquyre, searche and arreste suche persōs
that cary vytayle or armour to any parte of
Wales, wythout the kynges licence, whych
Constables shal haue ỳ. vi. part of ỳ forfayte
for theyr trauayl. An viii. H. viii. capitu. xlvi.
¶ Constables of porte townes (where soul-
diours that haue bene reteyned in wages to
serue in warre beyond the see or vpon ỳ see, &
departed frō theyr Captaynes, & turne backe, &
arryue in any port of Englande wythout li-
cence of theyr Capytayne vnder hys Seale)
maye arrest such souldyours, and kepe them
tyll enquerye be made of them, and yf it
may be proued by enquerye before Justices
of the peace, and proues that they haue mu-
stred of recorde, and departed from theyr ca-
pytayne (as before is sayd) wythout licence,
then they to be punyshed as felons. An. xviii
Henrici sexti Capitulo. xix.
¶ The Constables, rythyngmen, and chiefe
pledges of euery towne must attach and ayde
the owners and sellers of any goodes (where
the kinges purueyours wyl make theyr pur-
chace or bargayne of anye goodes to the
value

value of fortye shyllynges or vnder) of any
person and wyll not paye prest payment o
hande: in whiche case it shall be lawfull fo
euerye one of the kynges lieges: to retayn
them, and to resist such purueyours and no
to suffre them to make any such purueyan
And yf the Constable, tythyngman, or chiefe
pledge be requyred to ayde & assyst any man
in makynge suche resistence, and he refus
it, he shall paye to the partye greued the va
lue of the thynge so taken, by accyon of de
wyth the damages to the double. Anno. xx
Henrici sexti, Capitulo. xiiii.

¶ Constables maye arreste purueyours
byers of any lorde, or other person (except
purueyours for the kyng and quene) which
take any vitayle or cariage agaynst the wyl
of ỹ owners, and to cõmit them to the nex
prison of the kynges, there to remayn wy
oute bayle or meyuprice, vntyll they ha
delyuered all the sayde vyttayles or carria
ges, and other thynges so taken. And yf the
Constables do otherwyse when they be re
quyred, they shall forfayte twenty pounde
The moyte to be to the partye from whom ỹ
goodes were taken, to be recouered by ac
cyon of dette, wherein the defendaunt shall
not wage his lawe. An. xxiii. H. vi. Capitu
¶ Clothyers shall pay to carders, spynners
and other labourers lawful money for their
wages and carders, fullers, and other labou
rers

rers shall do theyr durye vpon payne of dou
ble damages. And the Constables of the hū=
dred or Constable maye heare and deter=
myne the complaynutes of euery suche clothi
er and labourer as well for non payment of
the sayde wages of labourers, as of ꝑ sayde
forfaytures and damages by due examina=
cyon of the partyes in that behalfe, and fur=
ther for none payment of the sayde duryes,
forfaytures and damages, to commytte the
trespassours to the next iayl in the same cou
tye, vntyl the sayde duties, forfaytures and
damages be duly payed vnto ꝑ sayde labou=
rers, or clothyers. An. iiii. Ed. iiii. ca. primo
Euery hygh Constable or perye constable
shall take or cause to be taken all vagabōn=
des, ydle people and suspect persōs lyuing
suspecyously, and set them in the stockes, &
there to remayne by one day and one night,
and to haue none other sustynaunce, but
breed and water, and then to auoyde the
towne where they were taken, into suche
place or hundred where they were borne, or
where they last dwelled by the space of thre
yeres. And yf eftsones they be taken in such
defaulte, then they to be set lykewyse in the
stockes by thre dayes and thre nyghtes, v
lyke dyet. Anno. xix. H. septimi. Capi. xii.
Constables and other heed officers, and
euery of them fyndynge or knowynge anye
person vsyng or exercysyng anye vnlawfull

games,

the office
games, Stenciles play, bowles, clasſh, and all other vnlawfull games, prohibited by many statutes, shall haue full power to cõmytte euery suche offendour to warde, there to remayne without bayle or mayneprycet, tyll suche tyme he or they so offendynge be bounden by obligation to the kinges vse in suche summe as by discretion of the same officer shalbe brought reasonable, that they from thense forth shall not vse anye vnlawfull games. Anno sexto. Henricioctauo. ca. ii.

¶ For wages for bote men and for theyr barges or bootes, or for a barge from London to Graues ende iiii. shyllynges or elles euery person and his male two pence. From London to Ereth, Brenewyche, Grastone or Purflet. pii. d. or els for euery person, and his fardel. i. d. so it passe not. pii. d.

From London to Wulwyche. piii. d. for a bote or wherye that is the tyde bote, or els euery person ob. From London to Brenewyche, iii, or els ob. for euerye person and his fardle. From London brydge, of Saynt Mary ouers, or Paules wharfe to Westmynstre, iii. d. or. els euery person an, ob, From the blacke fryres, Bridewell and the Temple to Westmynster, or Lambeth. ii. d. with theyr males, or els euery parson ob. so that it amount to ii. d. From Westmynstre to Lambeth or stainegate one ob. for a bote. From London to Mortlake. pii. d, or els eue

ry person. xl. d. with his male. And frō those places aboue named to London for a bote, or barge lyke summes to be payd. And these artycles to be kepte vpon payne to forfayte treble the fact. And bailyfes, constables and other the kynges officers nexte adioynynge to the feries, vpon complaynt to them made or to anye of them by them that be greued in that behalfe, maye arrest them, and commytte to warde for theyr misdemeanour & to make fyne for ꝑ same. An. vi. H. viii. ca. viii

¶ By the estatute made an. xxii. Hen. viii. how impotent persons shalbe ordred to beg and haue theyr lyuynge. It is ordayned that yf any impotent person authorised to begge, do begge in anye other place, then w̄in the limites to hym assygned then the cōstables and all other the kynges officers, shall by theyr discretion punysh al suche persons by imprysonment in the stockes by the space of two dayes and two nyghtes, gyuyng them but onely breed and water, and after that to cause euery suche person to be swoorne to returne agayne without delaye, to the Hundreth, Rape, Lyne, Borough, towne, paryssh, or fraunchyse, wherin they be authorised to begge in.

¶ And yf anye impotent person be vagarāt and go a beggynge and haue no such letter vnder seale as is specified by this statute, then the Constables, and all other inhabytaūts

tauntes within suche townes or paryshe, shall cause euery suche begger to be taken, and brought to the next Justice of peace or hygh Constable of the hundred. And ther vpō the sayd Justices of peace or hygh Cōstable shall cōmaunde the sayde cōstables & inhabitauntes of the towne or parish which shall bring before hym any suche begger, þ they shall stryp hym naked from the myddle vpwarde, & cause him to be whyppyd within þ towne where he was takē, or where þ same Justices of peace or hyghe Constable shall appoynt. And yf not, then to commaunde such begger to be set in the stockes in þ same towne or paryshe where he was taken by the space of thre dayes and thre nyghtes, to haue onely breed and water, and therupon the sayde Justices or hygh Constables shall limit a place to the same begger to begge in. And to gyue hym a letter vnder seale, in fourme before limitted, and to swcare hym to repayre thyther immediatly after hys punyshment executed.

¶ And all other persons being hole & myghtye in body that do begge, the constable of þ Hundred, Rape, or Weapontake, wherein suche persounes shall be so taken. And the Justices of peace or hygh Constable, before whome they shall be brought, by theyr discretions shall cause them to be brought to suche places where they thynke conuenient,

and

and there to be whyppped naked throughe the towne, or market, & then to be sworne to returne to the place where he was borne or where he last dwelled by the space of thre yeares: And to haue a letter vnder the seale witnessing that he hath bene punyshed.

¶Also all persons yt abiure to anye Sayncturye within this realme shalbe conueyed thereunto by the Constables of euery townshyppe, that is frome towne to towne, tyll that he come vnto that same Sayncturye, whereunto he is abiured in lyke maner and fourme, as persones that had abiured thys realme, shoulde haue bene conueyed to the nexte porte of the sea from that place where they be abiured vnto the same porte by course of the common lawe, before the makyng of thys statute. An. xxii, H. viii. ca. xii

¶Euery fermour or owner of landes, tenementes or hereditamentes, whereof the yearlye value or rente amounteth to .v. pounde whiche manureth the same, shall paye to euery person which by hys diligence and labour at his owne costes taketh any olde crowes, and Rookes, or Choughes, vppon the same landes, tenementes, or hereditamentes of the yearly value aforesayde .ii. pence for euerye twelue olde Crowes, Rookes, or Choughes: and a penye for fire, and an halpeny for thre olde Crowes, Rookes or Choughes. And yf anye fermer or owner refuse

to

to paye the sayde money accordynge as is aforesayde, then vpō cōplaynte & prosecucion therof to any Justice of peace or high Constable, the same Justice or hyghe Constable shall cause the same money to be leuied by distresse of the goodes and cattels of euery suche fermer or occuppyer of the same landes and tenementes. An. xiiii. H. viii. Cap. i.

¶ Where it is ordayned by an estatute made in the .vii. yere of kyng Richarde ij. seconde capitulo. ix. that he whiche espieth and procureth defaultes in any clothes put to sale contrarye to the assyse therof ordayned touchynge clothes, and contrarye to the sayde estatutes, should haue the thyrde part of euerye suche clothe beinge defectyue for hys labour by the delyuery of ij. Shyriffes, if they be presente or els of the lordes of fayres and marketes, or of stewardes, bayliffes, or constables of townes, where suche defectyue clothes shall be founde, by Indenture betwene them to be made, the whyche shall be delyuered euery yere in the Escheker at the feast of Saincte Michael, by them that shal make suche delyuery, to thintent to charge the Auenagours & coyllours, by whom such maner of defaultes oughte to be searched & amended. An. viii. Richar. ii. Ca. ix.

¶ If anye persone shyppe marchaundyse of Staple in places suspecte, adioynynge to the coastes of the water, and maketh no

Indene

Indentures therof betwene hym and th
Mayre or Constable of the towne, they shal
beforsayde & the kynge shall haue the moyte
and the Lorde of the towne, & he that fonde
and seased suche warres shal haue the other
moyte. And it is lawfull for euery person to
search in theise causes. An. xiiii. H. vi. ca. v.
¶ It is ordeyned that a horseman shal paye
for passage at Douer three shillinges, & a fore
man. vi. d. And the Constables of Douer to
punish them that do contrary at the sute of
the partye that wyll complayne & shall doe
hym right in that behalfe. An. iiii. Ed. iii,
Capitulo octauo.

¶ The office of the Coroners.

EFor to declare playnly ꝑ office of a Coro-
ner, it appeareth by the statute of Mag
na carta in ꝑ. xv. Cap. that no coroner ought
to hold any plees of ꝑ coroner. But Bract̄ de
clareth ꝑ office of a coroner sonem folowig
¶ First that in euery countye coroners shall
be the principall conseruatours of the peace
to beare recorde of all plees of the crowne, of
abiurations, bclagaries, and such like. And
the Coroners shall make an othe before the
Shyriffes in the ful countye, that they shall
make their enquestes, in collem̄ntes, and all
that to ꝑ coroners office appertayneth law-
fully and without askyage allowance. And

ꝑ

yf any felony chaunce, or treasure be found, or anye woman rauished, or prison broken, or any man wounded vnto death, the coroner, so sone as he shal know therof, shal sende to the Shyriffes, and Bayliffes of the places (where such aduenture shall happen) to cause to come before hym by a certayne day at the place (where such chaunce befel) foure of the next townesshyppes and other yf nede be, by whom he shal enquire the veryte and shal compel the townesshippes to sweare vpon the sayntes to shew the trueth of those articles that he shal demaunde of them. This shall the Coroner and the Iurrours vyewe the body, and the woundes, and the strokes, and immediatlye after such viewe had the body shalde buryed. And yf the coroner fynd the bodye buried beforehys commynge, he shal record the same, neuertheles he shall not omitte to digge vp the body, and make it be viewed opēly of the townes. And those Iurrours, whiche haue beneſomoned, and come not to the enquyres of Coroners shalbe amerced at the commyng of the iusticers at the first assises in those cōtties so that such defaultes be entred in the Coroners rolle, so ỳ the coroner shal haue no power to amerce no man for any defaulte.

¶ And whē ỳ enquest is swoxne, ỳ Coroner must inquire if the persone wer slaine by felony, or by misaduēture, and whether the felony

tory were done w in a house, or w out, and al the circūstaūce. And after it shal be inquired who were present at ꝑ dede, & who be coulpable of ꝑ said force cōmaūdemēt, cōsent, or receit of such felonies wittingly. And yf ꝑ coroner haue any suspicīō of ꝑ first inquest for cōceal mēt of ꝑ trouth, or yf it be needful to enquire better by other, then shall he enquire diuers times, & al such as therof shal hap to be indi ted, the shiriffe shal take in al the hast, if they may be founden, & yf not, the coroners shal en quire, who they be, & who hath withdrawen them selues for that occasiō, and the shiriffe shal forthw, cause theyr lāde to be seased, & afterwardes all their goodes, & cause them to be praised by lawful inquest, and the goo des with the prices shall be enrolled in coro ners rolle, and shalbe deliuered to the towne shyppe for to be answerable therfore vnto the kynge, in case the partie so endyted flye, and wyll not stande to ryght.

¶ And after they shall enquyre yf he ꝑ is in dited dyd euer fynd suertye to kepe ꝑ kinges peace, and the names of hys Mainpernours whyche he shal entre into hys rolle. And yf ꝑ playntyffe wyl sue appeale wythin the yere, and the day, then shal he fynd two sufficient pledges to the Shyreffe of that countye, dys traynable w the same, to sue his appeale at todyuge to the lawe of the lande, And then

shall the coroner cause the appeale to be entred wyth the names of the pledges, and after it shalbe cõmaunded vnto the Sergiaũt of the countye where suche felonye is done (whych as me semeth is the Shyriffe or his Baylyffe errante) that he haue the bodye at the next cõsitte. And yf the Sergiaũt returne at the seconde countye that he can not fynde them, then shall it be awarned that the principal beynge appealed of the dede, shal be solempnlye called to stande ryght touchynge the same felonye, & so shalbe called frõ countie to cõsitty vntil they come or be outlawed, and if the playntyffe make defaulte at any counte then shall theyrigent passe vntyll the cõming of ỹ Justices of ỹ kinges bẽch or ỹ Justices Eyre in ỹ cõsitte. And if ỹ prĩcipal be outlawed, ỹ exigẽtes shal go forth imediatly against accessories. And whẽ they shalbe outlawed, ỹdrawẽ or suspected, ỹ coroner shal enquire at whose finding such a fugitiue hath bene, & accordyng to the berdyte he shal enrolle it and then enquyre of the landes and goodes of the fugytyue. And yf they apere before ỹ outlarie, they shal be repleuiable. And yf the felony were done out of a house: the coroner shall enquyre who found the bodye fyrst, and he shalbe taken and let go vnder suertyes. And that no Jurrour be remoued by calling of anye partye. Neyther shall anye Coroner

take

take any thinge by him selfe, or by other, nor suffer to be taken by hys clerke, for doynge hys office. And yf it be founde that anye is deed by misaduenture, than shall it be enquired what misaduenture, as yf it be founde þ he fell from a mylne it shalbe enquired what thynges were then mouyng there, and how moch they be worth, and so yf he fell out of a carte, and yf one fall out of a shyp, nothyng shal be iudged the cause of hys death but the ship, and the thynges that moue therin, and not the marchaundyse lyeng therin.

¶ And the coroners ought to receyue the confession of felonies made by prouours in presence of the Shyriffe who shal be his countroullour in all hys office, and such confession he shall cause to be enrolled, and when anye person flyeth to a churche, so soue as the coroner shall haue knowledge therof, he shall sende to the Baylyffe of the place, þ he shall cause to come before hym by a certayne daye the neyghbours, and four of the next townes shyppes adioynynge to the church, in their presence shal receyue the confession of the felony. And yf the fugytyue praye to abiure þ realme the coroner shall do that the lawe of the to his office belongeth.

¶ Also he shall enquyre of rape, and all the circumstaunce, the appealles whereof with al other appealles of robberye, felony and such

lyke, he shall cause to be entred in hys rolle.
¶ Also they shal enquyre of treasour foūden of wrecches of the see, and of Sturgions, and of Whales taken, and who were the takers whose names they shall enrolle and let them go by mayneprise. And suche thynges as shal happen to be foundē they shall safely kepe to the kynges vse. And the shyriffes, & bailiffes shalbe alwayes attendaunt vpon them, and theyr commaundementes.
¶ It is ordeyned þ throughout al the countyes of England there be chosen sufficient coūers, of the moste sage & lawfull knightes that may best to the same office intēd which lawfully shall attache, and present plees of the Corone as well of appealles as thynges to the same office belongyng. And that no coroner demaund or take any thyng for doyng hys office, vpō payne of a grenous forfaiture to þ kinge. i. Westm. Cap. vii. But nowe by the statute made, An. i. H. viii. Ca. i. þ coroner shal haue. xiii. s. iiii. d. for the escape vpō the townesshyppe.
¶ Also it appeareth by an estatute made in the. xiii. yere. of Edward the fyrst, whych is called the estatute of Exchester, vnder what order enquisition shal be made of the defaultes of coūers, be they alyue or deed, where ye shal se the charge that shalbe gyuen to the enquestes that shal be charged to enquyre of

Coroners.

Of Coroners

Coroners, in whiche charge it appeareth further, what that Coroner ought to doe by hys office, whiche charge here ensueth.

The fourme of the charge to enquyre of the defaultes of Coroners accordyng to the estatute of Exchester.

FYrst they shal enquyre yf the Coroner goe in proper person to do hys office or not, whereby it appeareth that he can not make a deputye.

ii. Also yf he haue sent anyother to do hys office what he was, and howe often, and about what aduentures.

iii. Also yf he came at euery tyme of his own good wyll without delaye, or that he or hys clerke haue taken anye thynge for the more spedy executyng of their office.

iiii. Also yf he haue tary, or delaye to thentent to haue any reward after that he hath knowledge of the trueth, and after that he is sente vnto, howe often, and in what place, and vnder what maner.

v. Also yf the goodes of felons taken by hym be deliuered to the townes to kepe by a lawful enquest as they ought to be, and enrolled

in hys recorde or not.

vi. Also yf the coroner take any thynge of any persone for to take a false enquest for to distroye the right of anye, or to prayse the goodes for lesse then they be worth.

vii. Also yf he entre anye thynge in hys rolles, otherwise then it was geuē by the enquest and what thynge, he or hys clerke toke therfore, and howe often, and for what thynge he or his clerke, toke suche thinge. viii. Also if he or his clerke tooke of the goodes þ were prysed, & prysed them at lesse then they entred them in theyr rolles. ix. Also yf the prices were not assessed by the inquest. x. Also yf the townshippe were falsely charged, & of what thinge. xi. Also yf anye appeales were falsely enrolled, or imbeseled oute of the rolles after that they were entred. xii. Also yf he refuse to take anye playnt of appeales for pouerte, hate or other lyke cause, & what be ye cheker for that occasion: & of whome, & howe much. xiii. Also yf he or his clerke haue taken ought of goodes of the partye þ is dead vpō whose body e he toke vewe: what thynge it was, and howe often he so dyd. xiiii. Also yf he haue entred al the attachementes belonging to his office in due maner, or if he haue made any attachement for to greue any person or to haue of his owne, & entre it into his rolles. xv. Also if he haue not done his office

at all tymes at hys owne costes without te
kynge ought therfore. pvi. Also if he haue cō
feiled ought at anye countie, or procured to
be mudred, to the greuaunce of anye person
& if he so dyd, then to enquire howe often, &
for what rewarde, and for whom, & in what
case he so dyd. pvii. Also yf all ꝑ attachemē=
tes, hangynge, and lawfully receyued be pur=
sued by hym as he ought to do for the kynge
vpon the partye, or cause to be pursued.
pviii. Also if the goodes of suche as haue fled
the townes where they dwell for suspection
of felony, were attached by him, and prayses
by enquest, and enrolled accordynge there=
vnto, and delyuered vnto the townes where
those goodes were founden, to kepe safely vn
tyl the tōming of the Justicers in Eyre.
pix. Also yf he suffre appeales or other playn=
tes to hym made, to be conueyed awaye, im=
beseled or cased oute of the rolles, and yf he
take ought for suche falshed of whome, how
muche, and how many tymes.
px. Also if there were anye treasure founde
in the tyme of the same Coroner in what,
and what maner of treasure, and how much
and in whose hādes it resteth, and by whose
delyuerauce.

¶ This is the hole charge that Justices in
Eyre muste geue, for enquyry of Coroners.
and of theyr defaultes. Furthermore Justi=

res in eyre maye impanell other inquestes of foure and twenty personnes of the body of the countye to enquyre of the concelmente of the firste inquestes which dyd enquyre of the defaultes of the Coroners.

¶ When Coroners haue anye knowledge frome the kynges bayliffes, or other honeste men of the countrye for to goe vnto suche as be slayne, or sodaynly dede, or wounded, or lurkers of houses, or to anye place where treasure is sayde to be founde: they must go forthwith, and cõmaunde foure fiue or sixe of the next townshyppes, that they be afore theym at suche a daye and place, and when they shall come, then the Coroner muste make enquiry therof in fourme folowing.

¶ Fyrst yf the person were slayne in house, or in the felde, in bedde, or at the tauerne, &c. and who be gylty there, eyther of the deede or counsēt. &c. And if any be in ỳ court which were there, so ỳ they can speake, or haue any discretion, and they that be founden gylty by inquest shalbe taken and deliuered to shyriffe. And suche as were present, and be not gylty shall be attached vntyll the comyng of the Justices, and thyr names shal be written in the Coroners rolle.

¶ If any be sodaynly slayne in feldes or the woodes, it is fyrste to be seene whether he were slayne there or not, and yf he were not

slayne

slayne there, then as nere as they can, they shal folowe the steppes of him that broughte the bodye thither with horse or cartes, yf it be possible, in case the murderer be knowen, and if he be a straunger then shall they inquire where he was lodged p nyghte before. And touching such as shalbe founden guilty the coroner shal go immediatlye to their houses, & enquire what goodes and landes they haue, and howe much they be worth by the yeare. ¶ But by the statute of kyng Rychard the iii, it is ordayned that the landes and goodes of suche persones shall not be seased vntyll they be attaynted or otherwyse convycte by course of the lawe. And these thynges thus beinge inquyred, the bodies shalbe buryed incontinent.

¶ Moreouer they muste enquyre of suche as be drowned or dede sodaynlye, and whether they were drowned or straungled or slayne, & they muste enquyre who were the p̄ties, p they maye be attached. Also they muste vewe the length, breadth, and depnesse of al woundes, and muste inquyre with what weapons, and in what place of the bodye. And yf the wounde be mortall, the offendoure shall be kepte vntyll it be knowen whether the partye maye be hole. And yf the woūde be great then he shall be lette goe, vnder foure or syxe pledges, and yf it be but lytle, then two pledges,

ges shal suffice. Also they must enquyre of horse, carres, and other thynges wherby any was slayne, that they maye be pryced, and delyuered. vt. s.

¶ Also they shal enquyre of wrecke of the see, and yf any laye hande vpon it, he shalbe attached by good pledges, and the wreck shall be pryced and delyuered to the next townes shyppes. Furthermore hue and crye shalbe leuyed vpon al manslaughters, burglaries, or when anye is slayne or in payll of death, yf it maye be. And all shall folowe suche hue and crye yf they be able, and they that do not, shall be attached to appeare before the Justicers. &c.

¶ Also yf any person flye into the churche, or other halowed place for murdre, felonye, or suche lyke offence, the Coroner vpon knowledge therof shall come thyther, and take his confessyon, and yf he wyll abiure the realme, the Coroner shall receyue his abiuracyon, which he shall saye in this fourme:

¶ The fourme of Abiuration

HEare you this syr Coroner that I A. B. am a theefe of one horse or other lyke thynge, or a manslear of one man, or mo, & a felō of our soueraygne lorde the kyng

Henry

Kyng the eyght. And forasmoche as I haue
committed many cruell dedes & felonies in this
realme, I here abiure this lande for euer, and
shal make as moche haste as I can to the haus
ue of D. which ye haue assigned me: and I
shal not departe out of ye hygh waye: & yf I
do, I wyll ye I be taken as a theefe & felon of
the kynge. And further I shall diligently
seke my passage at the place aboue lymitted
& I shall not abyde there any longer than one
tide & one floude, if I maye haue passage. And
yf I can haue no passage in so moche space,
I shal goo euery daye into the see, vp to my
knees, and assaye yf I can get ouer. And yf
I cannot so do within fourty dayes contyn-
uynge, I shall yelde my selfe agayne to the
churche as the kynges theefe and felone. So
helpe me God and holydome.

¶ Neuertheles, it semeth that when anye
person shall abiure, hym behoued to shewe
the place, the daye and yere, & in what coun-
tie he dyd the felonye or murdre, whiche con
fession shall be as an indytement in effecte,
notwithstandyng yf he do it not but onelye
as before is expressed, it is good ynough, by
cause he is attaynted before by his abiura-
tion. Howbeit this maner of abiuracyon is
put out by the statute of Kyng the. viii. made
the. xii. yere of his raygne, whereby it is ordey
ned, that suche as wyll abiure, shall make

they

theyr abiuracion from all theyr lybertie vn
to some sayncturary within this realme ther
to remayne during theyr lyues, and shalbe
burned in the ryght hande with this letter
A. And yf suche person afterwarde be taken
out of sayncturarye, he shalbe ordred in lyke
maner as one that had abiured the realme
before the sayde estature. And the same per-
son that so taketh the churche shall make
his abiuracyon, and shall take his passage
from thense at suche a day and tyme as the
Coroner shall appoynt, and shalbe marked
vpon the brawne of his thomb on the right
hande with a burnyng yron, and shalbe con-
ueyed to the sanctuary, where vnto he is a-
iured by the mayres, baylefes & constables,
in suche fashion as they haue bene, whiche
heretofore had abiured the realme. And yf a
felon refuse to abiure before the Coroner, he
shalbe taken out of the sanctuary, and shall
lese the priuilege therof. And that is by the
statute. An. xxii. Hen. viii. Ca. ii.

¶ Also it is ordeyned that none shalbe cho-
sen coroner, if he haue not land sufficient
in the same countie for to answere all per-
sons. An. viii. Edwardi. iii. Capitulo. viii.

¶ And it is further ordayned that all Coro-
ners shalbe chosen in the full countye by the
commons of the sayde countye of the most
conuenient and able persones Anno. xxiiii.

Edwardi

Of Coroners.

Edwardi tercii. Capitulo. vi.

¶ The Coroner shall inquyre vpon ꝑ veu
the bodye yf he were slayne by daye: if the
murdrer be taken. And yf the murdrer es-
scape, the townesshyp to be amerced: And the
Coroner shall inquyre of that escape when
he enquyreth of the death vpon the veu of
the bodye. And the Coroner shall haue for
his fee. xiii. s. iiii. d. of the goodes of the mur
drer. And yf he haue no goodes, thā to haue
his fee of suche amercement as shalbe serte
vpon the townshyppe for the escape. And
after the murdrer founde, the Coroner shal
certifye his inquisition afore the Justicers
of the next generall gayle delyuerye in that
countye: And yf the Coroner be remisse and
make his inquisition vpon the veu of the bo
dye, and certifye not accordynge as is afore
sayde: Then the Coroner for euery defaulte
forfayte one hundred shyllynges. Anno
iii. Henrici septimi. Capitulo primo.

¶ It is ordayned that vpō request of the co
roner to come and enquyre of any person dro
wned or slayne by misaduenture: the Coro-
ner shall dyligentlye do his office without
anye thynge takynge therfore, vpon payne
of euery Coroner that wyl not indeuer him
selfe to do his office, or that taketh any thynge
for doinge his office vpon any person deed,
by misaduenture fourty shyllynges. Anno. i
Henrici. viii. Capitulo. vii.

In case of mans deathe within the verge it shalbe commaunded to the Coroner of the countrey that be together with the Coroner of the kynges house doe make the enquiry, and enrolle it. And that whiche can not be determined before ꝑ ſtewarde because the felons be not attached, or for other like cause shal remaine at the cõmon law so that the indictmentes, vtlagaries, & presentmentes therof be made in Eyre by the coroner of the countrey, as of other felonyes done oute of the verge. Articles vpon the Charters. Ca. ii.

¶ No coroner, shyriffe, nor other officer shall take ought for hys office, & if he do, he shall restore twise so much. West. i. Ca. xviii. But the statute of. H. vii. geueth to the coroner a marke for euery murdre.

¶ Also it was layd by the Iusticers. H. vi. R. ii. that the Coroner hath no power to enquyre of mans death, but only vpon view of the body, & yf he doe, it is frustrate & voyde. And yf one coroner enquyre vpon the view of the body, & after another Coroner wil come & enquyre therof agayne, ꝑ second inquiry is voyde, for ꝑ first enquiry is only of record.

¶ If one become a prouour before the coroner he shal not afterward be admitted to say that he did commit ꝑ act by duresse of imprisonment, for the recorde of the Coroner

shall

shall estoppe to hym plede that.

¶ If any wyl sue appeale of robbory of lar-
cenie, he must come into the full county with-
in the yere and the day after the felony done
and muste fynde two pledges to folowe hys
suyt, and the coroner shall entre hys appeale
immediatly in hys rolle, and the names of ỳ
pledges. And then shal it be cõmaũded to the
baylifes of the place, where. &c. ỳ he haue the
body at the next countie. And yf he returne at
the seconde cõtye (non est inuentus) thẽ shal
the appeale be called from county to countye
until he be outlawed, & if the plaintiffe make
default at any cõtye, then shall the exigent
cease vntyl the Eyre of the Justicers in the
same countye, & the playntyffe shal leese his
action after apperaunce forever, whereby it
appeareth that after the yeare and day a mã
shal not haue appeale of felonye. And to thys
point agreeth Breton in his first bokt.

¶ The coroner must recorde hys bewe, abiu-
ration, appeales, and accusations of theues
made before him, and so must he do of al thin
ges ỳ belong vnto hys office to be done, & the
nonsuites of playntifes in appeals he muste
recorde, with al thinges done in the countye
which belõg vnto his office. Also ye shal note
that appeales shall be made in the courte of
any Lorde that hathe fraunchise of infang-
thefe in presence of the Coroner. &c.

¶ A presentmente was sent into the kynges bench by a Coroner cõprisynge how a certayn person take for felony, was cõueied vnto the church by certen freers. &c. And because the coroner had no power to take suche an indictment, a wryt was directed to the same coroner to certifie whether he had any other presétment or not. A. xxbii. E. iii. libro assisarū

¶ An aduẽture of ꝑ death of a man was presẽted before iustices in Eyre, and because the same was not founden in the coroners rolle, the coroner was awarded to prysom. The coroners fee in Eyre, is to haue a peny of euery venue, when they shal come.

¶ Note that a presentmẽt made before Iusticers in Eyre of a thing which is contrary to that that is entred in the Coroners rolle, shalbe taken as voyde, and the coroners rolle shalbe taken for the recorde.

¶ The coroner shal enquire of ꝑ death of man slayne, or drowned in ꝑ armes, or creekes of ꝑ see, where ꝑ lande may be sene of either side. But now by ꝑ statute made. A. xiii. E. ii. Ca. v. & cõfirmed. An. ii. H. viii. C. xi. ꝑ admirall hath no iurisdiction but onely vpon the hye sea, wherby it appeareth ꝑ the coroner hathe iurisdiction there to enquire of mans death.

¶ A coroner may take an appeale of felony made by an approuor in any coũty of England & so may he do of an abiuracion, in case that

be confesse the felonye to be done in an other county. And the Coronce may abiure him as well vpon ꝑ, as yf the felonye had bene done within the same countye. But he cannot take any appeale of robbonye, or felonye, onles it be within the same countye where the robbonye or felony was cõmitted, and where he is Coroner, for by the confession, or appechement he is attaynted, and so is he not in the other cause.

¶ One that becometh a plouour, before Iusticers shal not haue a Coroner except he wyll confesse the felonye before them, and playe a Coroner. T. ꝑrbi. Edwar. iii.

¶ And yf one become a plouour, and appeale other of diuers felonyes done in other countyes, in this case the Coroner shall not make proces thereupon into anye foreyne countye, but he shal entre it in hys rolle, and shal send the same presentmente before the Iustices of Jayle delyuery, and ꝑ Iustices of Jayle delyuery shal awarde processe to the shyriffe of the foreyne countye, for to take hym that is so appealed.

¶ Thus ye must vnderstand that yf any shyryffes, bayliffes, escheatours, cõstables, or coroners take ought for doyng theyr offyces, otherwise then to thē is limitted by the statutes before declared, that then such takyng is extorcion, which is punishable at the kin-

The office

gespleasure, as apeareth by the statute
fore writen, and by the statute made
viii. La. fi. Whereby it appeareth
and other ministers, baylifes and
nisters, eschetours & theyr ministers
ners and their ministers are bounde
al preceptes to them directed from the
cers of peace without takynge ought
partye. And yf a precept be directed
Shyriffe, or anye other the kynges
to compel any to appeare before the
to fynde suerty of peace, yf the party
whom any such preceptes is directed
to come before the sayd Justices to find
tie of peace they shall take nothynge
And in lyke maner must they serue al
fes that come to them, directed out of
gesbench, the comon place, the Eschec
the Chauncery without takynge ought
fore, but onelye the fees expressed in
statutes before writen. And yf they
take any other fees it is plaine
extorcion.

¶ A breke declaration concernynge the extorcions of ordinaries, persons, vicars, and curates.

Of Ordinaryes.

Concerning Ordynaryes, ye
shall vnderstande that it is or-
dayned by an estatute made in
.xxi. yeare of kyng Henry the
eyghte, that no Ordinary shall
take anye thynge for the pro-
bate of the testament of suche
a persone, whose goodes amount not aboue
the summe of a hundreth shyllynges, except
.v.s of ye tribe. vi.d. onely. And of goodes aboue
the value of x.l.s. vnto .xl. li. iii.s. vi.d. And of
the tribe to haue .xii.d. of the same. And for the
probate of a testamēt of goodes aboue the va-
lue of .xl. li. v.s. wherof the tribe to haue. ii.
shyllynges & vi.d, or for euery lyne beyng .x.
wordes in length, one penye. And suche summes
for letters of administration, where suche per-
sons dye entestate, and the testament to be re-
quired, and delyuered to the partie wythout-
delay, & letters of administracion to be graū-
ted to the wyfe, or nexte of the kynsmē of the
partye deceased, or to bothe. And for ye pro-
bate of a testament or letter of administra-
cion of goodes vnder the summe of a hundreth
shillynges, the Ordinary shall take nothyng.
Moreouer it is the office of the ordinarie to
deface the Seale of ye testatours (where the
the testamēt was sealed) and to delyuer it ye
playne to the party. And ye ordinary shall
haue more then afore is limited, by reason of

The office

Of Ordinaryes.

take mortuaryes there of parsons & curates. If the archdeakon of Chester shall take mortuaryes of preestes within the countie of Flynte. ¶ And whoe so ever taketh for a mortuarye more then he ought, shall restore double so much as he taketh, and forty shillings besides that to the party greved. Anno tricesimo primo Henrici octavi Capitulo tricesimo And thus have I thought conuenient to declare vnto you concerninge certaine ordinaryes, Parsons, Vicars, and Curates.

FINIS.

¶ Imprynted at London by Richarde Kele, dwellynge in Lombarde streate at the signe of the Egle.

Anno. M. D. XXXIII.